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May 29, 2002

Winter Use Draft SDEIS Comments
Grand Teton and Yellowstone National Parks
P.O. Box 352
Moose, WY 83012

Re: Winter Use Plans
Supplemental Draft Environmental Impact Statement

E-MAIL: grte_winter_use_seis@nps.gov

Dear Sir/Madam:

As a Cooperating Agency in the Supplemental Winter Use Planning Process, and in accordance with our responsibilities under the corresponding Memorandum of Agreement with the National Park Service, Park and Teton Counties, Wyoming; Park and Gallatin Counties, Montana; and Fremont County, Idaho (Counties) have reviewed the Draft Supplemental Environmental Impact Statement (DSEIS)/Winter Use Plans for the Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway (Parks).

These comments are submitted on behalf of the Commissioners who are the duly elected representatives of the Counties. The Counties surround Grand Teton and Yellowstone National Parks, encompassing 18.8 million acres and a population of 140,000. The Commissioners appreciate the opportunity to comment on the DSEIS/Winter Use Plans to assist the NPS in producing a document meeting the intent and purpose of the National Environmental Policy Act (NEPA).

The Counties are honored to have been designated as Cooperating Agencies under the National Environmental Policy Act, 42 USC 4321 *et seq.* We are told this is the first time that counties have been formally granted this status.

We commend the National Park Service on its decision to prepare a Supplemental Environmental Impact Statement (SEIS) to incorporate "significant new or additional information or data submitted with respect to a winter use plan in the Three Parks". (See Settlement Agreement.)

It is important to note that the decision to settle the litigation by completing this SEIS was based on the recommendations of career attorneys and other officials at both the Department of the Interior and the Department of Justice—before key appointees in the new Administration were designated and/or confirmed.

The history of issues such as global cooling and global warming has taught us the perils of overreaction. We must learn from both. The Counties strongly support the DSEIS' Alternative 2 as the best vehicle to resolve the issues that confront the Parks by using management tools, instead of simply banning a popular recreational use. Alternative 2 offers both interim standards that would be immediately implemented and a long-term strategy that includes essential research, coupled with adaptive management techniques to accommodate ever-changing conditions and scientific theories.

The Counties strongly feel that the current ban on snowmobiles and snow planes is unjustified and unwise based on the information presented in the Final Environmental Impact Statement/Record of Decision. Moreover, the ban fails to meet the test required by the Organic Act and violates the mandate of the YNP and GTNP authorizing laws including 36 CFR 8.2, which states, "Enjoyment of park resources and values by the people of the United States is part of the fundamental purpose of all parks. The Service is committed to providing appropriate, high quality opportunities for visitors to enjoy the parks, and will maintain within the parks an atmosphere that is open, inviting and accessible to *every segment* of the American society." (emphasis added)

AIR QUALITY

It is striking that the SEIS cites air quality concerns as one of the major issues that confront the Parks, but it fails to cite a single instance where there have been violations of either the regulations or the law under the Clean Air Act.

In fact the proposal finds just the opposite. For example, according to the NPS' own data, which relies upon the most extreme short-term, peak-level measurements, there have not been any recorded violations of even the most sensitive Clean Air Class I standards.

The U.S. Environmental Protection Agency's Comments echo this position based on the NPS' modeling. At worst, some alternatives "threaten" to exceed the carbon monoxide standards in the first year of implementation according to the EPA's comments. However, the Agency admits that the air quality in these Parks has only "approached" the limits for Ambient Air Quality Standards, but EPA is unable to cite even a single reading that exceeds those standards. Moreover, the Agency cannot provide any evidence or data that supports the "threat" that could occur after the first year of implementation. Even if the standard for carbon monoxide or any other constituent were exceeded in the future, there is no discussion of what effect it would have on the resources.

In its tortured rationalization to ban recreational snowmobiles, NPS may have unwittingly opened the door to its own liability. The DSEIS references alleged incidents that led to concern for NPS employees' health. Although some of these were years ago, they still raise serious questions as to why YNP officials never acted on them until nearly the end of this past Winter season, when on February 16, 2002, YNP officials suddenly provided breathing devices to their employees.

If the complaints are credible, then they provide a basis for legal liability claims. Conversely, if the complaints are without basis, then why are they cited in the DSEIS? Please provide all documentation regarding these decisions, including any new studies that led to the Park officials providing their employees with breathing devices.

If these allegations were not investigated—or investigated, but not acted on—then each of these employees could have a cause of action against the Park Service. In either instance, it would seem that receipt of the complaints obligated Park officials to take action to insure the health of their employees.

It is shocking that there is such a paucity of studies on these issues. There is no evidence that the NPS ever requested that either the Montana or Wyoming Departments of Environmental Quality or the Environmental Protection Agency conduct the necessary testing that would either substantiate or disprove these claims. We recommend that air quality monitoring be done immediately to remove this cloud of uncertainty.

RELIANCE ON MINIMUM STANDARDS

It is disappointing that the NPS has chosen to utilize the minimum standard for key components of the document, in spite of the scrutiny, litigation and unprecedented public participation in the NEPA process. While this standard may survive judicial scrutiny, we do not think it is an approach befitting a decision of this magnitude.

An example is the "survey" that was given to an undefined fraction of all of the Parks' employees. According to the DSEIS, the responses from this selective sampling were "used to characterize the type, location and frequency of conflicts related to wildlife and oversnow motorized use in YNP"—two central issues of the SEIS. Such an approach begs the question: Wouldn't it be more useful to survey NPS rangers who understand the requirements and who have the responsibility of regularly traveling the roads, instead of a dishwasher who takes the same road at the same time every day?

CREATING DUPLICATE JURISDICTION

We are extremely concerned by NPS' efforts to create a new third level of environmental jurisdiction for Yellowstone and Grand Teton National Parks. The State of Wyoming already has primacy through its Department of Environmental Quality and, in addition, the United States Environmental Protection Agency has oversight responsibility.

Moreover, the NPS has neither the need, the personnel nor the experience to create any additional jurisdiction for these issues. This proposed new level of authority will only add to the bureaucracy and create unnecessary redundancy, resulting in confusion and wasting limited resources.

We cannot lose track of the fact that these two parks are under the most stringent environmental standards in the entire United States – Class I. There is Congressional testimony that there has been no violation of these standards.

MANDATING THE USE OF UNAVAILABLE VEHICLES AND UNTESTED TECHNOLOGY

We remain concerned that the Record of Decision designates snowcoaches as the preferred mode of transportation in the Parks and that two of the DSEIS Alternatives would ban the use of recreational snowmobiles on the basis of air and sound emissions levels. However, there is inadequate actual data on snowcoaches in either the FEIS or the DSEIS to support their alleged benefits over 2-stroke snowmobiles—the NPS relies on hypothetical models for evaluation. This is emphasized by the U. S. Environmental Protection Agency's comments on the DSEIS, which state, "Great effort has gone into assessing emissions and noise from the best of current snowmobile technology, yet there is no equivalent analysis for snowcoach BAT".

Moreover, what data there is on snowcoaches, does not support their benefits when compared to a 4-stroke engine. Recent studies on this new generation of snowmobile, including one conducted by Southwest Research Institute of San Antonio, Texas, further erode the perceived benefits of snowcoaches. It found that snowcoach emissions are up to six times higher than those from this new clean-quiet snowmobile.

If the ban on snowmobile use stands and snowcoaches remain the preferred mode of transportation, serious logistical issues still remain. Snowcoaches are no longer being manufactured, and the Bombardiers currently operating in the Parks are 40-50 years old. Although NPS officials are exploring the idea of a multi-seasonal vehicle, at present there is not even a prototype. Even if the vehicle proves feasible in the future, it will take years before any can be manufactured and made available for use in the parks. Moreover, the Southwest Research Institute study found that the light trucks and vans, when converted to serve as snowcoaches, average only two to four miles per gallon of gasoline.

CHANGE VISITATION LEVELS

Another major concern is that the SEIS utilizes a new method of calculating visitation levels in the DSEIS that was not used in the FEIS/ROD. The result of using this new formula is to raise the "estimated" baseline number of visitors to the parks from 88,250 to 96,842, the figure that is now used to analyze effects in the DSEIS.

The DSEIS states, "... the YNP North and West Entrances have a 25% re-entry rate". The document continues, "The East and South Entrances, however, are assumed to have a re-entry rate of 0%". This change has a tremendous effect on all aspects of the alternatives evaluated in the document. Moreover, it dramatically skews the analysis by diluting the effects the proposed bans will have on the five gateway cities and surrounding communities, the five Cooperating Counties, three Cooperating States and the regional economies.

ENFORCEMENT

The Counties recognize that The Organic Act, The General Authorities Act, The Yellowstone National Park Act, The Grand Teton National Park Act, The John D. Rockefeller, Jr. Memorial Parkway Act, The Clean Air Act, and the Endangered Species Act provide the NPS broad and flexible authority to manage the Parks. This authority is further bolstered by regulations and Executive Orders, which provide additional context and direction.

Under NPS regulation 36 CFR 2.18 (c), "The use of snowmobiling is prohibited, except on designated routes". Yet, the SEIS uses violations of it as part of the justification to ban snowmobiles. Although these violations have received widespread press coverage (including photographs, which were attributed to NPS), we continue to be puzzled as to why NPS has not used these same photographs to aggressively prosecute the violations under existing laws and regulations that make such activity clearly illegal.

We also recommend that NPS officials give serious consideration to internally shifting positions from other areas to "beef up" law enforcement. For example, five of the thirteen employees at Old Faithful provide "interpretation".

Many of our earlier concerns regarding the impediments to our full and effective participation in the EIS process (and the treatment of the information that we did submit) still exist. While we will not restate them here, we do urge the authors of this document to review our previous submissions and address these concerns. The social and economic impacts under Alternatives 1, 1a and 3 are profound. We are disappointed that, to date, the NPS has virtually ignored the analysis that has been presented on these and other key issues.

Attached are more detailed comments on other specific issues in the Draft Supplemental Environmental Impact Statement.

Sincerely,

Paul R. Kruse

Paul R. Kruse
For the Cooperating Counties

Attachments: Specific Comments

cc:
Vice President Richard Cheney
The Hon. Gail Norton
U.S. Sen. Max Baucus (MT)
U.S. Sen. Conrad Burns (MT)
U.S. Sen. Larry Craig (ID)
U. S. Rep. Mike Simpson (ID)
U.S. Sen. Mike Crapo (ID)
U.S. Sen. Mike Enzi (WY)
U.S. Sen. Craig Thomas (WY)
U.S. Rep. Barbara Cubin (WY)
U. S. Rep. Dennis Rehberg (MT)
The Hon. Marc Racicot
Cooperating Agencies
David Smith, Esq.

COOPERATING COUNTIES' SPECIFIC COMMENTS ON THE DSEIS

- The sentence in the DSEIS regarding the Counties' focus on economics (page 275) is disingenuous. It states, "The chief concerns expressed by counties have to do with economic impacts of changes to park management (i.e. changes in access or mode of access, and recreational opportunities available from each gateway)". Obviously, since the basis of the Counties' participation, as defined in individual Memorandums of Agreement (MOA) each county signed with the NPS, was specified as "socioeconomic", that is where the Counties major emphasis and efforts have been. However, the statement ignores several other key points.

  At the start of this SEIS process, the counties were sent a finalized MOA and given two options: either sign it and participate as Cooperating Agencies; or not sign it and have no formal status in the process. The NPS gave the Counties a very limited time to make the decision, citing the terms of the FEIS litigation settlement agreement. Why did NPS voluntarily agree to a Settlement that placed such severe restrictions on the Counties' participation?

  This is yet another example that demonstrates the opposition that NPS officials have for the Counties' participation in the process that started with the Agency's initial refusal to grant the five counties Cooperating Agency status.

  The above statement should be deleted and the section should be rewritten to make the record clear that the focus on economic impacts was a result of NPS-imposed limitations, and not the Counties choice. In addition, it should reference the changes that NPS repeatedly made to the original FEIS schedule that was part of the Memorandums of Agreement, changes that hamstrung the Counties' efforts to develop additional information for the process.

- It is incomprehensible that the NPS chose to ban snowmobiles from the parks given the dearth of information on key issues that establishes a need to eliminate them verses the strong public support for their continued use. According to the DSEIS, "The removal of snowmobile access into the park would eliminate the currently most popular form of winter experience (more than 60 % of the users)". At page 257.

  Public opinion polls indicate even stronger support for snowmobiles and at the same time those polls indicate very little support for the option NPS chose in the FEIS/ROD. In a 1999 study cited in the DSEIS, Borrie et al., found that, "More than 90% of winter visitors surveyed did not support plowed roads and snowcoach-only travel". DSEIS at 256

- According to the DSEIS, a selective "survey" was given to some NPS employees that "was used to characterize the type, location and frequency of conflicts related to wildlife and oversnow motorized use in YNP". Although the raw information from a selective questionnaire that is given to a limited number of employees may provide some information on the frequency of various types of conflicts in the Parks, and it may meet the bare minimum standards of the law, we ask the NPS to provide details of how it intends to systematically collect and record this type of information in the future given the scrutiny, litigation and unprecedented public participation in the EIS process.

- On page 119 the DSEIS states, "Service wide regulations prohibit snowmobile use that 'disturbs wildlife'. (36 CFR 2.18)" The document continues, "The purpose of the analysis of impacts to wildlife is to determine whether or not current snowmobile use violates this regulation".

  A federal magistrate judge sits in Yellowstone National Park. As a matter of law, that person is the "tryer of facts" and has the legal duty and sworn responsibility to apply the law to individual factual situations to decide whether a person has violated either the law or a regulation for which he/she was cited. How is the NPS more qualified to make this determination than the federal magistrate?

- If the current regulations are adequate, then it is the responsibility of the NPS to vigorously and systematically enforce them. However, based on the statistics in the document, it appears this is not being done. Using the NPS' figures of an average of 80,315 snowmobile passengers-per-year, over a period of six years (1995-2001) there were a total of 59 citations issued for entering a closed area. This equates into a barely calculable 0.000002 %. There were an additional thirteen traffic violations issued. This either points to a total lack of enforcement, hence the inflated figures this year, or that the vast majority of snowmobilers behave responsibly in the park.

  However, between the 2000-01 and 2001-02 winter seasons, this number dramatically increased from 161 to 338 tickets—an all time record. Yellowstone Deputy Chief Ranger Mona Divine said the increase was "the result of increased patrols". See Yellowstone Sled Tickets Set Record, Cody Enterprise (4/10/02). If these violations were occurring, what triggered this sudden interest in enforcement?

  There is also the question of why the DSEIS uses percentages of citations issued based on the total number of citations issued instead of based on the number of snow machines in the park? Using the percentage of violations, it would provide a better comparison.

  If the regulations on harassment of wildlife are inadequate, then it is the responsibility of the NPS to rewrite them. Please provide the Counties documented information on enforcement cases brought by the NPS on those accused of violating law regarding snowmobile use.

- On page 119 the DSEIS references a "survey" in which a select fraction of all park employees were asked to "Categorize road segments using the following types of documented 'conflicts' of animals herded down the road".

  Again, if the regulations are adequate, then it is the responsibility of the NPS to vigorously and systematically enforce them. Based on the statistics in the document, it appears this is not being done. If the regulations are inadequate, then it is the responsibility of the NPS to rewrite them.

- That section continues "visitors *deliberately* approaching *closer than necessary* to *provoke a response* for photos or *amusement*" (emphasis added)

  — Blacks Law Dictionary defines "deliberately" as "willfully; with premeditation". How do NPS rangers determine what the state of mind is for the visitor in question? What standard did the "survey" respondents use? Has either received training in this area?

  — What distance from the animal is considered "closer than necessary" for bison? For elk? Is it 5 feet, 10 feet, 50 feet?

  How did the "survey" respondent determine the visitor was attempting to "provoke a response"?

  How did the "survey" respondent determine whether the action was for "amusement"?

- In a study cited in the DSEIS, Aune found that skiers and snowshoers caused more stress on wildlife than snowmobilers, since in the first two instances animals are not aware when a person enters its "zone of danger". Once the animal realizes a person is near, it exhibits a "startle reflex" that increases its loss of energy. This is in sharp contrast to snowmobilers whose machines emit sound, alerting the animal that a human is close by, so the animal can systematically leave the area if it becomes uncomfortable with the distance between the two.

  In another study cited on page 125, Hardy concluded, "bison and elk appeared to habituate as exposure to traffic increased throughout the winter recreational season". Were the "survey" respondents asked any questions regarding <u>all</u> recreational activities or were the questions only about snowmobiles? Were there any questions about these other activities in the 2001-2 Survey? Does the NPS have any plans to do a scientific study to explore these issues?

  It is striking that over one half of the respondents "reported that both snowmobiles and snowcoaches were involved in wildlife harassment", and yet, NPS proposes to ban snowmobiles only.

- On page 120 the DSEIS indicates that the NPS "documents wildlife-visitor interactions using digital photography". Are these pictures turned over to law enforcement officers to prosecute the violations that, according to the NPS, are occurring? If not, why not? Has the NPS ever filed charges based on the videotape former Assistant Secretary Don Berry showed in the U.S. Senate hearing on Yellowstone N.P.?

- One of the mandatory components of an EIS is analysis of the potential effects of the proposed actions on federally protected species, including those listed under the Endangered Species Act. Recently, it was discovered and widely reported that U.S. Fish and Wildlife Service (USFWS) officials knowingly and willingly "planted" false evidence on lynx, leaving the impression that the animal inhabited an area where it did not. Given that this fraud was discovered between the time the DEIS was issued and the DSEIS was initiated, did the NPS communicate with the USFWS to insure the information contained in the DSEIS was not tainted in any way? If so, please provide a copy of the correspondence as soon as possible.

- The reliability of the use of any information submitted by the USFWS is further eroded by National Academies of Sciences. In another high profile process, both the USFWS and the Bureau of Reclamation issued formal biological opinions calling for water levels and flow rates to be increased to protect certain species listed under the Endangered Species Act. In this instance, the Bureau of Reclamation decided that USFWS biological opinions must prevail over its own assessment, even though it would result in more water being diverted from farms during a severe drought. However, after thoroughly studying the issues involved, the National Academies of Sciences National Research Council concluded that, "The available science does not support current proposals to change water levels or river flows to promote the welfare of the fish currently at risk". See *Scientific Evaluation of Biological Opinions on Endangered and Threatened Fishes of the Klamath River Basin (2002)*

- It is well documented that large ungulates cause severe damage to wetlands, particularly around the banks of streams and other water bodies. Pages 122-123 discuss the value of the thermal areas to the bison and other ungulates during the winter season. However, there is no reference to any of these studies and no analysis regarding the effects that these large animals have on the water quality, the thermal features and the vegetation surrounding these very sensitive areas.

- The DSEIS uses new formulas to calculate visitation levels that were not in the FEIS/ROD. The result is to raise the estimated baseline number of visitors to the parks from 88,250 (which was used in the FEIS) to 96,842, which is used in the analysis in the DSEIS. The DSEIS states "... the YNP North and West Entrances have a 25% re-entry rate".

  The document continues, "The East and South Entrances, however, are assumed to have a re-entry rate of 0%". This change has a tremendous effect in all aspects of all of the alternatives evaluated in the document. Moreover, it dramatically skews the

analysis by diluting the effects the proposed bans will have on the five gateway towns and surrounding communities, the five Cooperating Counties, the three Cooperating States and the regional economies.

However, we are unable to find any analysis that discusses the basis for these new numbers. An explanation of the decision on both the need for this new calculation and the factors used to determine the various reentry percentages among the gates would improve the document. See page 148.

- We commend the authors of the SEIS on the evaluation provided for the five new studies that further the missions of the parks by providing clean and quiet transportation, so that recreational access is available to all people. We were impressed by the comments received on the DEIS about how snowmobiles provided handicapped visitors with some measure of personal choice and freedom of movement. The decision in the FEIS/ROD to ban snowmobiles will arbitrarily exclude people from the parks and create a system of "haves and have nots" based on physical and economic ability – something that can be corrected in the new process.

- On page 254, the statement under *The Effects on Visitor Experience Common to All Alternatives* section is correct as far as it goes, but it ignores the obvious. Banning snowmobiles from the Parks eliminates a key alternative that is available to visitors with physical disabilities. It is not until page 258 that the authors admit that, "options for solitude would be limited for visitors who cannot physically ski or hike".

  There are eloquent comments in the record regarding the freedom that recreationalists with physical limitations have on a snowmobile. This freedom and the accompanying confidence are lost when the mode of travel, the travel schedule and stop-locations are dictated by the snowcoaches' routine. For this population segment, the loss of snowmobile access would result in a major adverse effect.

- On page 255 there is only a small footnote that states, "It is important to note that impromptu stops by snowcoaches to view scenery and wildlife are frequent occurrences under current operations and there is no reason to assume that this situation would change". I would point out that there are a number of questions triggered by a ban that challenge this "assumption". Under a ban, there will be a dramatic increase in the number of visitors competing for the same number of seats in the snowcoaches. The obvious solution is to schedule the snowcoach trips more frequently and to eliminate intermediate stops so that the vehicles can return to their base sooner. In addition, since each vehicle will have more passengers, it will be more difficult to find a consensus between those who wish to stop and those who don't. Therefore, given these and other questions, it seems unwise to make any assumptions without further information.

Moreover, there is no information in the record about whether existing snowcoaches can accommodate the needs of this population. Many of these machines were built before the ADA and other laws were enacted, and there is no data in the DSEIS on whether they currently meet those standards.

- We question the basis for the abrupt and sudden emphasis on several individual Executive Orders, including a heavy reliance on E.O. 11644. During five administrations spanning over 30 years, this seldom cited 1972 order is now being used for the justification of numerous actions. Can you please explain the rationale for this change in NPS' policy?

- Page 18 states that, "NPS will determine visitor use capacities based on studies that set indicators and standards for desired visitor experiences and resource conditions. The NPS will monitor indicators to maintain the conditions for each management prescription. If necessary, techniques such as reservation, permits and differential fees will be implemented". However, there is no indication of what will trigger "necessary" action. Are there any criteria for that determination? Will the determination be made in writing and include the reasoning for the decision?

- Page 19 states that NPS should, "Limit backcountry non-motorized use to designated routes to address wildlife issues in certain wildlife winter ranges, or close certain areas to all use". The authors should examine more effective enforcement as a first option, not limiting use. We found no discussion of additional options such as more effective enforcement strategies for violations.

- Page 19 urges that NPS, "Phase-in administrative snowmobile types that meet best available emission and sound limits".

  — For the sake of clarity, a phase-in schedule should be articulated and the term "best available" better defined.

- The document's treatment of snow planes is, at best, confusing. The only reference that snow planes are not considered in the DSEIS is in a vaguely worded footnote at the bottom of a page, in small print, midway through the document. Page 38 states, "Discontinuance of snowplanes on Jackson Lake is not being revisited in SEIS alternatives. By the previous decision, this use is discontinued following the 2001-2002 winter season".

  However, there are other references to snow planes in the DSEIS that could lead to the conclusion that they are being revisited. Some examples are:

  — The document defines snow planes as: "self-propelled vehicles intended for oversnow travel, having a weight of not more than 1,000 pounds (450kg) mounted on skis in contact with the snow, and driven by a pusher-propeller". At p. 20

— Snow planes are not listed under "ISSUES OR CONCERNS NOT ADDRESSED IN THE SEIS". At p. 28

— Snow planes are again mentioned on page 127 of the document which states, "human generated intrusion include snowmobiles and snowcoaches that travel along designated groomed and ungroomed routes in both YNP and GTNP, as well as *snowplanes* that are used by ice fishers on Jackson Lake in GTNP. (emphasis added)

— Page 128 makes two additional references to snow planes.

The first time the Counties became aware that NPS would not consider the issue was in the NPS' RESPONSES to the comments that individual counties and states submitted on the internal working draft of the DSEIS.

In addition, the NPS officials gave various Congressional staff members the impression that snow planes would be considered as part of the DSEIS process. According to these staff members, this occurred at least four times – both in individual conversations and in a conference call.

- On page 57, the DSEIS indicates that Alternative 3 would "Allow limited use of snowmobiles by concessionaires". Are all uses included? Is it limited to business use as stipulated in contracts? Does it include non-recreational use by employees? By employees' family members?

- The use of objective standards will provide greater clarity and help eliminate confusion. For example, the statement that, "Actions affecting park values for which there are no defined standards, such as odor or visitor satisfaction" raise serious notice and enforcement questions. We would recommend that either the SEIS have a defined process and specific criterion to evaluate issues where there have been violations of a specific standard, or the notion be dropped from the final document.

- It would strengthen the document to use actual data at every juncture possible. An example is on page 87 where the DSEIS states, "*Typically one-quarter to one-third* of the fleet is turned over each year, so that snowmobiles are *usually no more* than four years old. Why not simply provide a breakdown for the fleet by both age and manufacturer. (emphasis added)

  Another example appears on page 39 where it states, "The NPS may require that the types of vehicles used meet certain environmental and safety requirements. Estimates of emissions for conventional vans converted for oversnow travel indicate that the emissions increase once the conversion is made. For this reason, adherence to EPA regulations for similar wheeled vans is neither appropriate nor required".

- The document indicates that since 1998-99 the NPS snowmobiles have used fuel with 10% ethanol. Citing, in footnotes, any studies that indicate emissions gains by the switch, would enhance the discussion. For instance, what effects do altitude, use patterns and other factors have on this mix in snowmobiles?

- We recommend that any regulations for any proposed rule to implement the ROD should make it clear that all NPS employees must adhere to the same standard that recreational visitors must observe.

- Clarity in the document will be enhanced by the consistent use of the same term wherever the purpose is the same. An example of this is the term "environmentally friendly snowmobiles" on page 90. We would recommend the document use the term "clean and quiet" instead of switching to this new phrase.

- It would appear the NPS is implementing a new policy – purchasing administrative snowcoaches for employees' use in Yellowstone and Grand Teton National Parks. The DSEIS briefly states that "federal agencies are authorized", and goes on to say that "Because of some of these issues, the Record of Decision on the FEIS stated a commitment to purchase administrative snowcoaches for employees' use".

  Does "employees' use" include personal use by the NPS employee? Personal use by the NPS employees' family? Does this use also extend to aspects of all positions for all employees? Are there any limitations on the use? We urge the FEIS fully discuss the underlying decision making process for implementing this policy in these two parks, the employment and personal use parameters, the types of vehicles envisioned, since snow coaches are not commercially available, and the anticipated timeframes that will be necessary.

- Similar questions are raised by the next section on *Concession Winter Operations*, but are glossed over by simply stating that concession use, "may be viewed in the same context as NPS use…"

- The DSEIS has an individual heading on *Concession Support Uses* but doesn't provide any parameters in the section or any reference to other sections or authorities. It simply indicates that sixty snowmobiles are used to "support winter operations". I would urge that these "uses" be clearly defined in the FSEIS. Similarly, the reference "on occasion when winter access is required" needs to have the terms and limitations stated.

- Based on the NPS' figures of an average of 80,315 snowmobile passengers-per-year, over a period of six years (1995-2001) the 481,890 passengers who were in the park had a TOTAL of 230 accidents — involving, on average, ***only 0.00047 %*** of passengers. Given this extremely low incidence, it seems unusual that the DSEIS would devote five pages of discussion to it but not once indicate the percentage of accidents per person. We recommend that percentages be added to this section in order to put the risk into perspective.

- Page 88 states, "For the winter of 2001-2 two additional tracked ambulances will be in service to provide emergency medical response". Since there is no evidence that medical responses are being delayed, and in light of the low number of accidents cited in the DSEIS, wouldn't reprogramming these monies into law enforcement be a better use of resources? Furthermore, if speeding is reduced by increased enforcement, then the accident rate should drop accordingly, since speeding causes the majority of accidents.

- Page 92 defines "gateway community" as the towns of Jackson and Cody, Wyoming and Gardner and West Yellowstone, Montana only". Since other towns within the Yellowstone region share the same profile and are similarly impacted by any decision made in the Parks, we recommend that the category also include: Island Park, Idaho; Cooke City, Montana; and Dubois, Wyoming.

- Noise from commercial, private and research jets, and other aircraft, is a common part of everyday life. Yet, appears to be no discussion of how these flights are measured, the duration of and/or the sound pattern of each flight. Was this information part of determining "natural soundscapes" or was it otherwise categorized? Did the NPS use actual data on individual flights, random sampling, and some type of cumulative information base or modeling to determine these effects?

- The visitor survey information in the DSEIS skips some crucial visitor seasons. One example of this gap is the Christmas holiday, which is traditionally one of the busiest times of the entire winter season. Similarly, we were unable to find any information on the Hanukkah holiday period. This information could be used to gage visitor satisfaction with each alternative and to identify where the different user groups diverge concerning a particular value. Has the NPS systematically surveyed these seasons? If not, why not?

- According to a study done by Bjornlie (2000), FGC levels, which measure stress, were higher in bison and elk encountering wheeled vehicles, as opposed to snowmobiles or snowcoaches, and the behavioral response "most often resulted in the bison fleeing with snowmobiles frequently herding them down the packed trails". Since herding bison with snowmobiles is illegal in the Parks, what evidence is there that Grand Teton bison are impacted at all by the mere presence of law-abiding citizens on snowmobiles?

  The DSEIS continues, "While acknowledging that elk FGC levels could *potentially increase* depending upon winter visitation levels and management scenarios, and despite documented effects, Hardy et al (2002) concluded that overall elk and bison were coexisting with winter recreation without declines in population levels". (emphasis added) DSEIS at 210. What other "management scenarios", in addition to the two that were mentioned, would lessen this potential increase?

  The authors of the DSEIS found that the Hardy and Creel studies were "not directly compatible due to differences in methodology", but continued in a way that seemingly gave more weight to the Creel study stating it "demonstrated that

oversnow traffic may indeed be affecting elk in YNP depending perhaps upon other variables..." SEIS at 213. However, even under this generous reading, the document is still forced to conclude that, "Nonetheless, Creel et al. found *no evidence* that current snowmobile levels were effecting elk populations as a whole". DSEIS at 213 (emphasis added)

Have studies been conducted in either Yellowstone or Grand Teton National Parks to quantify the benefits that wildlife derive from plowed or groomed trails? Does plowing facilitate travel for bison and elk so that they reduce their energy expenditures during this difficult season? Does using these pathways allow ungulates and other animals to locate feeding sources easier?

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  The evidence, so far, eliminates both issues. The DSEIS continues, "Since the publication of the FEIS, ongoing monitoring of the bison population continues to support the contention that bison use of groomed routes is relatively minor compared to their use of established game trails and other off road travel corridors (Reinertson et al. 2001)" SEIS at 213-214. What criteria will be used for adaptive management given that the Conclusion section states, "Adaptive management would be employed to make adjustments in management if and when impacts to wildlife are determined". SEIS at 214

  In describing the causes and effects of various actions, the DSEIS repeatedly relies on the word "can" instead of the definitive "will". While there may be some value in determining potential effects, it would be more useful to assess whether, and to what degree, the hypothetical can be reduced to a certainty, i.e., does the use of groomed trails impact wildlife? If the answer is yes, then can it be mitigated?

- Page 215 states that, "for each road segment, risk was predicated on the *perceived* number of wildlife conflicts reported along each road segment and the projected average daily number of oversnow vehicles. "High" indicates, "that conflicts among wildlife and oversnow vehicles would be expected to occur daily". (emphasis added)

  The word "perceived" is, by definition, not objective. How was the number of snowmobiles factored into the "expectation?" If snowmobiles followed a snowcoach that first encountered wildlife, were both vehicles counted as a "conflict"? The DSEIS provides the number of snowmobiles in the park, but what method was used to calculate the number of wildlife?

- Page 218 states that, "In addition, when snow depth warrants and at periodic intervals, routine plowing operations would include laying back roadside snowbanks that could be a barrier to wildlife exiting the road corridor".

What criteria will snowplow operators use to determine whether "snow depth warrants"? What basis was used to determine what "periodic intervals" are? At what height do the snowbanks become a "barrier" that has a harmful effect on wildlife? What are the other harmful effects, if any?

- In category after category the NPS is unable to establish that snowmobiles cause harm to wildlife, yet that remains one of the key issues: Examples include:

  — Road kill mortality by oversnow vehicles – "The importance assigned to these effects is in dispute and the ramifications inconclusive" DSEIS at 217.

  — Risks associated with harassment and displacement – "The importance assigned to these effects is in dispute and the ramifications inconclusive" DSEIS at 217.

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  — FGC levels which the NPS uses to measure stress in animals "unknown to what extent stress may be affecting populations in the long term" DSEIS at 217

  — Effects of groomed roads and trails on animal movements – "unknown if and to what extent beneficial effects outweigh negative effects". DSEIS at 217

- In what ways would "laying back roadside snowbanks that could be a barrier to wildlife exiting the road corridor" benefit elk and bison? Is berm height the only factor?

- Modeling on snowcoach emissions is not an accurate predictor of the future for at least two reasons. The referenced Bombardier vehicle is no longer manufactured and some of the few existing vehicles that currently operate in the Parks are a 1950's vintage. Moreover, there is no standard model for a "conversion van," also classified as a snowcoach.

  Even if these issues could be overcome in a way that would allow accurate and consistent testing, the DSEIS identifies another flaw based on the results of the two tests that were available one using a gasoline powered Mattrack over snow and another test on a diesel powered van over grass.

  On page 226 the DSEIS states, "because of the different ground types, the sound level data from these two vehicles cannot be directly compared". In addition, although there has been much talk about developing a multi-seasonal vehicle, there is no consensus on what is needed and any such vehicle is years, if not decades, away from commercial production. This is hardly adequate evidence to justify the proposed ban on the use of this popular activity.

- We would recommend that when a study is used for the first time it is accurately cited and, when subsequently used, appropriately referenced to the original citation. An example of where this is not done is the reference to "Appendix A of the HMMH Report" that appears on pages 221 and 222. However, the full name of this study, which was conducted by Harris, Miller, Miller and Hanson Inc., is not defined until the bottom of page 222 and the top of 223.

  In addition, it was unclear to us whether there were two studies based on a single set of data by "Harris, Miller, Miller and Hanson Inc./Bowlby & Associates" that was cited on page 222. Were there two separate studies both referenced on page 223 – one conducted by "Harris, Miller, Miller and Hanson Inc." and a second conducted by "Bowlby & Associates"?

  It is crucial to note that Alternatives 1 and 1a would ban snowmobiles and rely entirely on snowcoaches, despite the fact that they are louder than a 4-stroke snowmobile. When the Bombardier snowcoaches was tested at 30 miles per hour, its noise emissions measured 74.6 dBA. However, the 4-stroke snowmobile tested at 74.1 dBA at five miles faster (35 MPH). Similarly, the DSEIS indicates that, "the sound levels of the Bombardier, Mattrack 4-track conversion van and Ford full-track conversion van were nearly equal (with both sides averaged) at 78 and 79 dBA".

  Based on this actual data and not modeling, forcing visitors to use the existing snowcoach fleet would actually increase vehicle noise in the Parks. However, as the DSEIS points out, "Under alternative 1a only snowcoaches that can meet strict sound standards would be allowed in the Parks. Since there are no companies that currently manufacture snowcoaches and the NPS' multi-seasonal vehicle is years, if not decades, from production, how will visitors access the Parks when snowmobiles and snowcoaches that fail to meet the strict sound standards have been phased out? Will it force severe cutbacks in visitor access to the Parks?

— Snow planes are not listed under "ISSUES OR CONCERNS NOT ADDRESSED IN THE SEIS". At p. 28

— Snow planes are again mentioned on page 127 of the document which states, "human generated intrusion include snowmobiles and snowcoaches that travel along designated groomed and ungroomed routes in both YNP and GTNP, as well as *snowplanes* that are used by ice fishers on Jackson Lake in GTNP. (emphasis added)

— Page 128 makes two additional references to snow planes.

The first time the Counties became aware that NPS would not consider the issue was in the NPS' RESPONSES to the comments that individual counties and states submitted on the internal working draft of the DSEIS.

In addition, the NPS officials gave various Congressional staff members the impression that snow planes would be considered as part of the DSEIS process. According to these staff members, this occurred at least four times – both in individual conversations and in a conference call.

- On page 57, the DSEIS indicates that Alternative 3 would "Allow limited use of snowmobiles by concessionaires". Are all uses included? Is it limited to business use as stipulated in contracts? Does it include non-recreational use by employees? By employees' family members?

- The use of objective standards will provide greater clarity and help eliminate confusion. For example, the statement that, "Actions affecting park values for which there are no defined standards, such as odor or visitor satisfaction" raise serious notice and enforcement questions. We would recommend that either the SEIS have a defined process and specific criterion to evaluate issues where there have been violations of a specific standard, or the notion be dropped from the final document.

- It would strengthen the document to use actual data at every juncture possible. An example is on page 87 where the DSEIS states, "*Typically one-quarter to one-third* of the fleet is turned over each year, so that snowmobiles are *usually no more* than four years old. Why not simply provide a breakdown for the fleet by both age and manufacturer. (emphasis added)

  Another example appears on page 39 where it states, "The NPS may require that the types of vehicles used meet certain environmental and safety requirements. Estimates of emissions for conventional vans converted for oversnow travel indicate that the emissions increase once the conversion is made. For this reason, adherence to EPA regulations for similar wheeled vans is neither appropriate nor required".

- The document indicates that since 1998-99 the NPS snowmobiles have used fuel with 10% ethanol. Citing, in footnotes, any studies that indicate emissions gains by the switch, would enhance the discussion. For instance, what effects do altitude, use patterns and other factors have on this mix in snowmobiles?

- We recommend that any regulations for any proposed rule to implement the ROD should make it clear that all NPS employees must adhere to the same standard that recreational visitors must observe.

- Clarity in the document will be enhanced by the consistent use of the same term wherever the purpose is the same. An example of this is the term "environmentally friendly snowmobiles" on page 90. We would recommend the document use the term "clean and quiet" instead of switching to this new phrase.

- It would appear the NPS is implementing a new policy – purchasing administrative snowcoaches for employees' use in Yellowstone and Grand Teton National Parks. The DSEIS briefly states that "federal agencies are authorized", and goes on to say that "Because of some of these issues, the Record of Decision on the FEIS stated a commitment to purchase administrative snowcoaches for employees' use".

  Does "employees' use" include personal use by the NPS employee? Personal use by the NPS employees' family? Does this use also extend to aspects of all positions for all employees? Are there any limitations on the use? We urge the FEIS fully discuss the underlying decision making process for implementing this policy in these two parks, the employment and personal use parameters, the types of vehicles envisioned, since snow coaches are not commercially available, and the anticipated timeframes that will be necessary.

- Similar questions are raised by the next section on *Concession Winter Operations*, but are glossed over by simply stating that concession use, "may be viewed in the same context as NPS use…"

- The DSEIS has an individual heading on *Concession Support Uses* but doesn't provide any parameters in the section or any reference to other sections or authorities. It simply indicates that sixty snowmobiles are used to "support winter operations". I would urge that these "uses" be clearly defined in the FSEIS. Similarly, the reference "on occasion when winter access is required" needs to have the terms and limitations stated.

- Based on the NPS' figures of an average of 80,315 snowmobile passengers-per-year, over a period of six years (1995-2001) the 481,890 passengers who were in the park had a TOTAL of 230 accidents — involving, on average, ***only 0.00047 %*** of passengers. Given this extremely low incidence, it seems unusual that the DSEIS would devote five pages of discussion to it but not once indicate the percentage of accidents per person. We recommend that percentages be added to this section in order to put the risk into perspective.

- Page 88 states, "For the winter of 2001-2 two additional tracked ambulances will be in service to provide emergency medical response". Since there is no evidence that medical responses are being delayed, and in light of the low number of accidents cited in the DSEIS, wouldn't reprogramming these monies into law enforcement be a better use of resources? Furthermore, if speeding is reduced by increased enforcement, then the accident rate should drop accordingly, since speeding causes the majority of accidents.

- Page 92 defines "gateway community" as the towns of Jackson and Cody, Wyoming and Gardner and West Yellowstone, Montana only". Since other towns within the Yellowstone region share the same profile and are similarly impacted by any decision made in the Parks, we recommend that the category also include: Island Park, Idaho; Cooke City, Montana; and Dubois, Wyoming.

- Noise from commercial, private and research jets, and other aircraft, is a common part of everyday life. Yet, appears to be no discussion of how these flights are measured, the duration of and/or the sound pattern of each flight. Was this information part of determining "natural soundscapes" or was it otherwise categorized? Did the NPS use actual data on individual flights, random sampling, and some type of cumulative information base or modeling to determine these effects?

- The visitor survey information in the DSEIS skips some crucial visitor seasons. One example of this gap is the Christmas holiday, which is traditionally one of the busiest times of the entire winter season. Similarly, we were unable to find any information on the Hanukkah holiday period. This information could be used to gage visitor satisfaction with each alternative and to identify where the different user groups diverge concerning a particular value. Has the NPS systematically surveyed these seasons? If not, why not?

- According to a study done by Bjornlie (2000), FGC levels, which measure stress, were higher in bison and elk encountering wheeled vehicles, as opposed to snowmobiles or snowcoaches, and the behavioral response "most often resulted in the bison fleeing with snowmobiles frequently herding them down the packed trails". Since herding bison with snowmobiles is illegal in the Parks, what evidence is there that Grand Teton bison are impacted at all by the mere presence of law-abiding citizens on snowmobiles?

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION VIII
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DENVER, COLORADO 80202-2466

APR 23 2002

Ref: EPR-N

Steven F. Iobst
Assistant Superintendent
Grand Teton National Park
P.O. Box 170
Moose, Wyoming 83012

Re: Draft Supplemental EIS for Winter Use
CEQ# 020130

Dear Mr. Iobst:

As a Cooperating Agency in the Supplemental Winter Use Planning Process, and in accordance with our responsibilities under the corresponding Memorandum of Agreement with the National Park Service (NPS), the U.S. Environmental Protection Agency (EPA) has reviewed the Draft Supplemental Environmental Impact Statement (DSEIS) for Winter Use Plans at Yellowstone and Grand Teton National Parks and John D. Rockefeller, Jr. Memorial Parkway (the Parks). We provide the following comments to assist NPS in producing a document that meets the intent of the National Environmental Policy Act (NEPA) and the terms of the Settlement Agreement that led to this Supplement. These comments are provided in accordance with EPA's responsibilities under NEPA and Section 309 of the Clean Air Act, and we hope they will be useful to you as you complete this supplemental analysis.

EPA thanks the NPS for the opportunity to participate in this SEIS as a Cooperating Agency. NPS has again fully involved the Cooperating Agencies at every point in this process. NPS was extremely responsive to the Cooperating Agencies, and we appreciate the almost weekly opportunity to provide input and ask questions. We also appreciate NPS' efforts to fully evaluate and utilize applicable information and input from the Cooperators. While the Settlement Agreement set a very tight time frame for this analysis, and though NPS received much of the new information much later than expected, the NPS planning and analysis team is to be commended for doing a remarkable job in assembling this DSEIS.

This DSEIS amends the Final Winter Use EIS (FEIS) issued in October, 2000. The two primary purposes of the DSEIS are as follows: 1) to solicit more public input, and 2) to include data from new snowmobile technology and other new information. This DSEIS analyzes four alternatives that fall within the range of those alternatives presented in the FEIS.

- Alternative 1a represents the November 2000 Record of Decision (ROD), fully phasing in the transfer of motorized access to snowcoaches by 2003 - 2004. The existing ROD implements FEIS Alternative G with minor modifications.
- Alternative 1b is identical to 1a except implementation is extended one additional year, with full implementation in 2004 - 2005.
- Alternative 2, at full implementation, requires 50% lower emissions on all snowmobiles, and caps snowmobiles in Yellowstone at 1,300/day pending a carrying capacity analysis.
- Alternative 3, at full implementation, requires "best available technology" for reducing emissions and noise for all snowmobiles entering the Parks, and all snowmobiles would be accompanied by a NPS licensed guide. Alternative 3 caps use in Yellowstone at 930 snowmobiles per day until a carrying capacity analysis is completed.

EPA fully supports continued winter access to these National Parks. Given the analysis presented in the DSEIS, EPA is satisfied that if applicable regulation, law, and federal policy are followed, Park resources can be protected while maintaining motorized winter access to these Parks. While this comment letter will suggest some adjustments and additional analyses, EPA finds the Park Service again used the best-available information, scientific analyses, expert agency comment, and public input in assembling both the DSEIS and FEIS (as required by 40 CFR 1500.1(b)). The assessment of impacts in the DSEIS and FEIS is supported by an extremely thorough and credible body of human health, environmental, and wildlife science, much of which is site-specific to the Yellowstone ecosystem. NPS, academic and agency researchers have actively studied the impacts of snowmobile use for over 10 years in these Parks. The Yellowstone ecosystem has the benefit of more peer-reviewed scientific research on the effects of motorized winter recreation than any other place on earth.

EPA's primary concern with this supplemental analysis is that three of the four DSEIS alternatives (1b, 2 and 3) threaten to exceed National or Montana Ambient Air Quality Standards for carbon monoxide in the first year of implementation (2002-2003). NPS has the ability, information and authority to set interim limits to vehicle numbers that would assure compliance with Air Quality Standards. EPA encourages interim vehicle limits be sufficiently reduced in the FSEIS to assure compliance with these standards. Although complying with Air Quality Standards does not assure elimination of the impairment to visibility or human health caused by vehicle exhaust, it is an achievable first step toward resolving the impaired air quality in these Parks.

In November, 2000, NPS issued a Record of Decision (ROD) that resolved the winter-use threat to National and State Air Quality Standards as well as the significant impairments to human health, visibility, wildlife and soundscapes. This remedy was to begin with actions taken this past

winter (2001-2002), with full implementation in 2003-04. EPA recently learned that some actions required by the ROD to reduce impacts to air quality this past winter were not implemented. The ROD is an active policy document and represents an agreement with the public for managing winter use in these Parks. EPA is concerned that air quality, human health and visibility continued to be impaired this past season. As discussed in our enclosed Detailed Comments, EPA is suggesting that interim limits be adjusted in each of the SEIS alternatives to assure compliance with air quality standards beginning this coming season (2002 - 2003).

Environmentally Preferred Alternative

EPA has carefully considered the new information, analysis and alternatives presented in the DSEIS, and we find FEIS Alternative G remains the environmentally preferred alternative. The analysis presented in this EIS clearly indicates FEIS Alternative G would provide the best available protection to human health, wildlife, air quality, water quality, soundscapes, visitor experiences, and visibility while maintaining motorized and non-motorized winter access to these Parks. We are confident that Alternative G will fully comply with all applicable environmental regulations, policy and Executive Orders. EPA has no objections to this alternative.

EPA Rating

Based primarily on the disclosure in this DSEIS that Alternatives 1b, 2 and 3 would likely result in noncompliance with air quality standards and that air quality could negatively impact human health, EPA is rating these three action alternatives EO-2 (Environmental Objections, 2 - Insufficient Information). Alternatives 2 and 3 are likely to be inconsistent with NPS environmental policy regarding protection of air quality and related values. "EO-2" indicates that the EPA review has identified environmental impacts including possible violation of environmental regulations that can and should be avoided in order to fully protect the environment. Corrective measures may require substantial changes to the alternatives or consideration of additional project alternatives. The identified additional information, data, analyses or discussion should be included in the Final SEIS (FSEIS). While Alternatives 1b, 2 and 3 all receive the same EO-2 rating, EPA notes that there are substantial differences in environmental performance between these alternatives (see enclosed Detailed Comments). EPA finds no environmental objection to the No Action Alternative (1a). A full description of EPA's EIS rating system is enclosed.

Because the decision maker can select from among alternatives in both the DSEIS and the FEIS, EPA is providing a brief assessment of the alternatives in the FEIS as well. Because FEIS Alternatives A, B, C, D, E and F would likely not comply with environmental regulation, policy and executive orders, EPA has expressed environmental objections with these alternatives (see EPA comments on Draft and Final EISs). Again, EPA finds no environmental objection with Alternative G.

We appreciate the opportunity to review this DSEIS and provide comments. A set of detailed comments on the DSEIS is enclosed. Thank you for your willingness to consider our comments at this stage of the process, and we hope they will be useful to you. Should you have questions regarding these comments, please contact Phil Strobel of my staff at (303) 312-6704.

Sincerely,

Max H. Dodson
Assistant Regional Administrator for
Ecosystems Protection and Remediation

cc: Winter Use Cooperating Agency Liaisons

Enclosures

EPA Detailed Comments on the Winter Use DSEIS

Air Quality

DSEIS modeling indicates a potential exceedance of National Ambient Air Quality Standards (NAAQS) and Montana Ambient Air Quality Standards (MAAQS) for Alternatives 1b, 2 and 3 in the first implementation year (Tables 44 and 45, and p.182). In Alternatives 1b and 2, the 8-hour average CO concentration continues to threaten NAAQS into the second implementation year (Table 45). NPS has been aware of this significant air quality issue for a number of years, and we therefore do not understand why it is not addressed in the first implementation year in all alternatives considered in the DSEIS. EPA recommends that NPS reduce vehicle numbers in each of these alternatives in the FSEIS sufficient to eliminate the threat to air quality standards in any year.

Alternatives 2 and 3 both have elements that result in significant uncertainty in understanding their effects on future air quality, potentially extending the threat to air quality standards beyond that disclosed in the DSEIS. The following issues should be resolved in the FSEIS:

- At full implementation, Alternative 2 would require all snowmobiles, including public snowmobiles, to comply with an emission standard more stringent than EPA's current or proposed emission standard. Specifically, Alternative 2 would reduce carbon monoxide and hydrocarbon emissions in the 2004 - 2005 season by 50% from today's baseline. This is equivalent to EPA's proposed 2010 snowmobile emission standard and therefore NPS would, at a minimum, be implementing this standard ahead of EPA's proposed schedule. EPA is concerned with respect to Alternative 2, that despite requests from EPA, this document does not cite the authority by which the NPS or the States could implement vehicle emission standards more stringent than EPA's current standard. Without such congressionally-granted authority, the emission standards in this alternative appear to be infeasible. Without such authority, the interim vehicle cap is the only factor in Alternative 2 that would change the air quality performance of the alternative from today's conditions, potentially resulting in far less improvement to air quality than estimated in the DSEIS.
- Alternative 2 implements emission or technology requirements on rental and outfitter snowmobiles beginning this winter (2002-03). Given that the decision for this SEIS is not expected to become effective until December of this year, it is unlikely that rental and outfitters services will have adequate notice to purchase appropriate technologies. If NPS agrees this schedule is not feasible, the implementation schedule and modeling for this alternative should be updated in the FSEIS. Again, we would expect that NPS would alter the interim vehicle limits to be protective of Air Quality Standards in the FSEIS.
- Alternative 3 utilizes, but does not clearly define the term "best available technology" (BAT) for reducing emissions and noise (the current definition is provided on p. 291). Clear definition of BAT is critical to understanding the environmental performance of

Alternative 3 and therefore must be refined in the FSEIS. The current definition can result in several interpretations of "BAT," putting the magnitude of associated air quality benefits of this provision in doubt.

The current definition of BAT could be interpreted simply as requiring 4-stroke engines, with the assumption that they will improve over time. There are substantial differences between the emission and noise profiles of the 4-stroke snowmobiles currently on the market (*see "4-Stroke Technology" comments below*). If this becomes the chosen interpretation, then the air quality modeling for this Alternative significantly overestimates improvements to air quality and soundscapes, and the modeling should be revised prior to the FSEIS.

This current BAT definition might be interpreted as "the best available production model" on the market in each production year. In this case, the modeling in the DSEIS accurately reflects today's BAT. There is no guarantee, however, that BAT five years from now will be cleaner or quieter than today. (*see the "Best Available Technology" comment section below*)

The current BAT definition would not appear to allow NPS to require specific, available emission control technology, such as catalytic convertors, or muffler configurations *unless* they exist as standard equipment on the cleanest, quietest production snowmobile. The FSEIS should indicate whether this definition would allow NPS to require technology not available on production models, but that could feasibly be added.

The FSEIS definition should indicate how often BAT requirements would be updated (ex: every 1, 2 or 5 years).

The FSEIS definition should indicate how NPS would resolve issues such as a super-clean snowmobile model with poor noise performance, or visa-versa. In other words, it is possible, or even likely, that no individual snowmobile will have lowest emissions of CO, HC, PM *and* noise. It is therefore important that NPS define the criteria that will be used to select this technology.

EPA notes several apparent inconsistencies in the air quality modeling results that should be investigated prior to issuing the FSEIS:

- In order to allow comparison with the no action alternative, the Alternative 1a scenario should be included in the air quality model results Tables 44 - 72.
- Alternative 1b, Year 1 has no vehicle caps, yet has the same model results as Alt 3, Year 1 which does implement interim caps.

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- Alternative 2, Year 1 estimates a 50% reduction in emissions compared to baseline. EPA would not expect a 50% reduction given the parameters in the alternative, where only 70% of snowmobiles (rentals and outfitters) are required to reduce emissions by 50%, and 30% of snowmobiles (public) would continue at baseline emission levels. This should result in less than a 50% reduction in Year 1.

Because the number of snowmobiles entering these Parks has increased dramatically since the late 1970's, EPA again encourages the Park Service to complete a screening-level, 24-hour average, prevention of significant deterioration (PSD) Class I increment analysis for particulate matter (PM_{10}). This information is necessary to fully understand whether current winter use, and proposed alternatives, would likely comply with Class I provisions of the Clean Air Act.

EPA looks forward to the addition of visibility modeling for Alternatives 2 and 3 in the FSEIS. Lacking this analysis, it is important to note that compliance with National and State Ambient Air Quality Standards does not assure that visibility or human health will be protected from further impairment. While air quality in these Parks has been bad enough to approach Ambient Air Quality Standards, frequent impairment to visibility and significant human health impacts are well documented. Visibility impairment is present whenever cold, calm days occur, and even on days far below peak snowmobile numbers.

With the lowest emissions of CO, PM_{10}, NO_X and HC (DSEIS, Table 73), Alternatives 1a and G would result in the best possible air quality in these Parks while still providing motorized access. When comparing the effects of Alternatives 2 with Alternative 3, it is clear that Alternative 3 would provide markedly better air quality through the use of BAT and lower vehicle numbers. Although, as expressed above, we have significant doubts and concerns regarding the ultimate air quality impacts associated with Alternatives 2 and 3, EPA believes that if these concerns can be resolved in the FSEIS, at full-implementation these alternatives would also comply with National and Montana Ambient Air Quality Standards.

In summary, EPA is very concerned that although exceedance of Ambient Air Quality Standards is entirely avoidable, the DSEIS indicates these standards are threatened in the first two implementation years with several alternatives (1b, 2 and 3). EPA finds that Alternatives 1a, 1b and G would, at full-implementation, provide and perpetuate the best possible air quality and visibility in these Parks, comply with all applicable regulation and federal policy with respect to air quality and related values, and eliminate the visibility impairment experienced in these Parks.

Human Health

As discussed in the FEIS and DSEIS and the February 2000 NPS report "Air Quality Concerns Related to Snowmobile Usage in National Parks, there are existing, significant human health impacts associated with winter use in these Parks. EPA's proposed rulemaking for setting

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Recreation Vehicle Emission Standards (including snowmobiles) also discusses the health effects from exposure to exhaust from these vehicles (Federal Register/Vol. 66, No. 194, October 5, 2001).

An important issue we haven't seen discussed in any document associated with this process is the potential additive or synergistic toxic effects due to exposure to multiple chemicals. Human-health based NAAQS, OSHA and NIOSH standards are set assuming healthy individuals in a healthy environment, and do not consider synergistic effects nor individuals with respiratory or other impairments. In these Parks, human exposures do not occur to the individual chemical or physical constituent alone, they occur to a mixture of constituents. As a result, the synergistic impacts may be greater or less than the additive impacts from multiple human toxins. For example, both benzene and carbon monoxide affect red blood cells. Benzene acts in the bone marrow to reduce the number of effective red blood cells released into the bloodstream. Carbon monoxide binds to hemoglobin on red blood cells preventing the binding of oxygen, and subsequently, delivery of oxygen to the tissues. If someone already has a reduced number of red blood cells circulating, and those red blood cells are unable to release oxygen to the tissues, the effects may be felt at levels below the health standards for either chemical alone, especially if the individual is already compromised (e.g., existing cardiovascular conditions or chronic obstructive pulmonary disease). Particulate matter can also affect the respiratory system's ability to deliver oxygen and may further exacerbate effects from CO and benzene exposure. In another example, CO, benzene and formaldehyde have all been documented at elevated levels in the Parks. These three chemicals are all associated with neurological effects such as headaches, nausea, dizziness, or central nervous system depression.

Given the ongoing concern regarding employee health in the Parks, NPS may want to consider a more frequent workplace monitoring program for CO, toxic constituents, and particulate matter. EPA can provide more detailed consultation on possible monitoring protocols on request.

In summary, EPA is pleased that the NPS is addressing the continuing human health issues present in these National Parks. The DSEIS indicates that snowcoaches (Alternatives G, 1a and 1b) produce substantially less CO, PM and HC per visitor than even the very cleanest of snowmobiles. The DSEIS discloses both air quality and visitor safety (less vehicles, no first-time drivers, lower accident rate) benefits associated with the snowcoach alternatives, leading to the conclusion that the snowcoach mode of visitor transportation is most protective of public and employee health.

EPA's Proposed Snowmobile Emission Regulation

The DSEIS (p.102) includes an up-to-date summary of EPA's proposed snowmobile emission regulation for reducing carbon monoxide (CO) and hydrocarbon (HC) emissions. The

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DSEIS (p. 103) also includes a list of SEIS analysis and implementation issues associated with EPA's proposal.

As EPA has indicated several times during this process, even EPA's proposed 2010 standard (50% reduction of CO and HC) would not require 4-stroke technology. Manufacturers have indicated to [EPA] that two-stroke engines equipped with direct fuel injection systems could reduce HC emissions by 70 to 75 percent and reduce CO emissions by 50 to 60 percent. It should therefore be made clear in the FSEIS that Alternative 2 would not require 4-stroke technology.

Best Available Technology

In our air quality comments above, EPA expresses the need for a clearer definition of "BAT." In addition to that request, we offer the following information to assist NPS in assessing the near-term air quality benefits of snowmobile BAT.

NPS received emission data for two, 4-stroke, low-horsepower, touring snowmobiles (Arctic Cat and Polaris). Both of these vehicles are currently available on the market. As documented in the DSEIS, the Arctic Cat snowmobile has significantly lower emissions than the Polaris. This is because Arctic Cat utilizes a production-model, 3-cylinder, Suzuki automobile engine with highly engineered emission controls. That emission technology is not currently available to manufacturers using non-automotive engines. It is therefore unlikely that other manufacturers will soon have emission levels similar to the Arctic Cat vehicle.

Touring snowmobiles make up approximately 10% of current snowmobile sales. With total annual sales of about 140,000 snowmobiles, the estimated annual touring market is only 14,000 machines. The touring market is then spread mainly among the four major manufacturers. The 4-stroke touring snowmobiles currently make up a fairly small percentage of the touring market, and have a unit cost that is approximately $3,000 to $5,000 above similar horsepower 2-stroke machines. In testimony to EPA regarding the Notice of Proposed Rulemaking for snowmobile emission standards, Polaris discussed its "Indy Frontier" 4-Stroke, stating, "It remains to be seen whether the cost and performance characteristics of this product will be accepted in the market place." If in fact the market does not accept and sustain the production of these low horsepower 4-stroke snowmobiles, it is likely that BAT in the near future will actually emit more pollutants than the best snowmobiles available today. The FSEIS should therefore recognize that there is some doubt in the projection of emissions benefits associated with Alternative 3.

4-Stroke Technology

It is important to note in the FSEIS that 4-stroke technology, by itself, does not guarantee low emissions or quiet operation. There are numerous examples of 4-stroke automobiles and motorcycles that would never be considered clean or quiet in the context of a National Park

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setting. In particular, carbon monoxide emissions can be significant in 4-strokes engines lacking highly engineered, automobile-type emission controls. It is possible that direct injection 2-stroke technology will outperform most 4-stroke snowmobiles with respect to CO emissions

This past season, Yamaha introduced a high-performance, 4-stroke, 150 horsepower snowmobile. This snowmobile utilizes a motorcycle engine with approximately three times the horsepower of the touring snowmobiles. While there are no emission or noise data yet available for the Yamaha snowmobile, it is almost certain to have emission and noise levels significantly higher than the touring 4-strokes assessed in the DSEIS. It is not clear whether the Yamaha machine will result in a trend toward high-horsepower 4-strokes. It should be noted that given equivalent emission control technology, as horsepower increases, emissions and noise will also increase.

Finally, because of the significantly higher cost of 4-stroke snowmobiles (from $3000 to $5,000 more per unit than similar-horsepower touring models), it is possible that rental and guide operations, to remain competitive, would be economically unable to implement this technology unless specifically required by NPS policy or EPA regulation.

Snowcoach Emissions

Snowcoaches are typically powered by light-duty gasoline truck (LDGT) engines. EPA's Tier 2 emission regulation for light-duty trucks will begin phase-in during 2004. As the snowcoach fleet builds and turns over, this Tier 2 regulation will result in even cleaner operations for these vehicles than estimated in this DSEIS.

Though Alternative G would require conversion to BAT snowcoaches over time, it is important to point out that this EIS process has not attempted to analyze the emissions from "best available" snowcoach technology. Great effort has gone into assessing emissions and noise from the best of current snowmobile technology, yet there is no equivalent analysis for snowcoach BAT. The DSEIS utilizes EPA's LDGT emissions factors, which are a reasonable estimate of the average emissions from snowcoaches currently operating in the Parks. The FSEIS should specifically indicate that in comparing Alternative 3 to Alternative 1, Alternative 3 analyzes BAT for snowmobiles while Alternative 1 does not analyze BAT for snowcoaches.

In December, 2001, Southwest Research Institute (SwRI) published a report titled, "Determination of Snowcoach Emissions Factor." This report is reprinted in Appendix D (p. D-23). For this report, SwRI tested one snowcoach, a 2-wheel drive (tracks on back wheels, skis on front) 15-passenger van with a V-10 engine. This report provides the first laboratory test of snowcoach emissions. The test was conducted in both "open-loop" and "closed loop" operational modes that resulted in two dramatically different emission profiles. For example, carbon monoxide emissions in grams/mile were 129 times higher in open-loop mode. Unfortunately, as

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the report states, it is not known how often snowcoaches operate in closed-loop vs. open-loop mode. Based on the SwRI study, and knowledge of current operating characteristics and emission-control technologies, EPA would expect that snowcoaches in these Parks utilizing modern LDGT engines would operate in closed-loop mode except under extreme conditions such as hard acceleration from stop, or climbing steep grades. Because of the dramatic difference in emissions in the two operating modes, this report is of little use in the SEIS analysis of snowcoach emissions. It is unfortunate that NPS was not consulted in designing this study. We hope that future snowcoach emission studies can be coordinated with, or funded by NPS to provide the following:

- With NPS guidance regarding input requirements of the air quality model, and regarding the assumptions used in testing, the data could be directly utilized in air quality modeling.
- NPS could assure that all parameters needed to make management decisions are included in the test procedure. Particulate matter emissions data are necessary in analyzing air quality, visibility and human health effects. Particulate matter emissions were not among the constituents monitored in this study.
- A field analysis of the time spent in open-loop vs closed-loop mode is critical.
- NPS should collect and provide additional information from snowcoach outfitters regarding operating conditions (gas milage, time spent at idle, transit time between locations, average number of snowcoach passengers, etc.). The SwRI report was limited to data from just one snowcoach outfitter.
- NPS, emissions experts, and outfitters could provide guidance in selection of snowcoach configurations intended to typify worst-case, average, and best-technology snowcoach emissions.

EPA's review of the SwRI report indicates snowcoach emissions are likely within the range of the estimated emissions used by NPS in the DSEIS. EPA would like to see this test redone with as much of the above information as possible, and including more than one typical snowcoach configuration (ex: Bombardier, Mattracks). Even if the testing cannot occur until after the SEIS process in complete, this information will prove useful to NPS in making future management decisions including carrying capacity analyses. Despite these concerns and recommendations, EPA is satisfied that the DSEIS provides a reasonable estimate of snowcoach emissions based on the best available information. EPA concludes, based on the information provided in the DSEIS, that snowcoaches are now, and will likely continue to be, the most protective form of visitor transportation for air quality and related values.

Noise/Soundscapes

The DSEIS demonstrates convincingly that snowcoaches are the least-impacting form of visitor transportation in frequency, magnitude and duration of noise impacts.

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Wildlife

New information included in this DSEIS did not alter the FEIS conclusions regarding wildlife impacts from winter use. Due largely to the dramatically decreased number of vehicles and reduced noise impacts, the DSEIS again concludes that snowcoaches are least impacting mode of visitor transportation to wildlife.

EPA notes a potential conflict with the all snowmobile alternatives and federal regulation. NPS has stated (ROD, p.19), "Even with technical advances in snowmobiles, the impacts of snowmobile use on wildlife, especially ungulates using groomed routes, constitutes disturbance and harassment at a time when individual animals are particularly challenged for survival." The new information in this DSEIS indicates that when this statement was written, NPS had accurately estimated the "technical advances" in today's snowmobiles. According to NPS regulation (36 CFR 2.18(c)), snowmobiles are allowed in National Parks "only when their use is consistent with the park's natural, cultural, scenic and aesthetic values, safety considerations, park management objectives, and will not disturb wildlife or damage park resources." To assist the public in understanding the relationship between the alternatives and current regulation, the FSEIS should provide an indication of how alternatives comply with this regulation and other relevant policies.

Socio-Economics

The following are EPA's concerns in the DSEIS evaluation of economic & regional impacts:

- Although it is unstated in the DSEIS, the 1999 Winter Visitor Survey did not include educational information to indicate that substitute sites for YNP and GTNP exist for snowmobiling in the Forest. Survey results were based on people's understanding (or lack thereof) of existing snowmobiling opportunities within and outside the Parks. The small declines of experienced, non-resident snowmobile visitors (13.3%) compared to outfitter-led trip visitors (45.5%) indicate that experienced visitors better understand alternative sites and opportunities. Survey results indicate a minority of clients visit gateway communities only to visit the Parks. If outfitters do a credible job advertising alternative sites with similar recreation values near the Parks, the decline in clients should be smaller than 45.5%, likely closer to the13.3% figure for non-resident visitors.

- Based on the information in the DSEIS it does not appear the economic analysis considered the increased visits by cross-country skiers and snowshoers that is likely to occur if snowmobiling is curtailed or eliminated in the Park. The Survey focused exclusively on *existing* ski and snowshoe visitors, or those that have demonstrated tolerance for current park conditions. It is likely that the impacts to lodging and food business could be partially offset by enhanced motorized and non-motorized recreation in the Parks by visitors who previously have not visited because of the noise and air pollution

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associated with snowmobiles. This potential shortcoming could be corrected in the FSEIS, to include consideration of substitute activities that are enhanced by Park snowmobile closures.

- With the trend of growing visitation by snowmobile enthusiasts to the area, reduced use associated with Alternative 1 by residents and non-residents of 8.6% and 13.3%, respectively, may be more than offset by annual increases in snowmobilers (p. 154). Future visitation could therefore be relatively stable or even increase among those groups that support current snowmobile outfitters (though perhaps reducing their growth opportunities)

- The DSEIS points out that the local impacts associated with Alternative 1 are offset by increases in snowmobiling activity elsewhere, both in and outside the GYA. It should be stressed that alternatives exist, and that there is little or no loss in overall economic activity in the three-State region associated with closures. Hence, any benefit-cost analysis should recognize that benefits and overall economic output are diminished little, if at all, and instead there is the potential for transferring regional impacts and benefits to other parts of the three-State region.

- All winter recreation in the Greater Yellowstone area amounts to only $63 million, or 1.1% of the total 5-county economy. With Alternative 1, snowmobiling declines only 8.6% to 45.5% for the three snowmobiling groups. Therefore, the loss to the local economy from Parks snowmobile closure is a maximum of $11.1 million (FEIS p.126), or about 0.2% of the regional economy. Factoring in the missing substitute activities – increased visits by current non-visitors (because of improved air quality and reduced noise) who ski, snowshoe, and/or would use snowcoaches for non-snowmobiling visitation and were not surveyed – may more than offset snowmobiling losses to the local economy because additional non-snowmobiling visitors may be more likely to be destination visitors and provide greater support to lodging and other businesses to a greater extent than the resident snowmobilers in particular that their visits offset. Overall outfitter gains for snowcoach visitation, skiing, and snowshoeing may partially or wholly offset losses to snowmobile outfitters. In any case, the overall regional economic impact is likely to be even smaller than the 0.2% reported in the DSEIS, and may in fact be positive for the overall regional economy and the Park gateway communities (see next bullet).

- In evaluating whether economic impacts overall are positive or negative, there is a need to determine what would happen to other recreation in the GYA and in the three-State area. The DSEIS (p. 155) discusses the impacts from Alternative 1 on the three-State economy stating, "This is a negligible impact in the context of the 3-state economy. This estimated

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reduction would be lessened to the extent that nonresidents would choose to recreate at other locations within the 3-state region, but outside the GYA. The extent of any such substitution behavior is unknown." There is reason to believe that recreation users will pursue the same recreation uses elsewhere ("substitution behavior") in the three-State region, and within the greater Yellowstone area. Some area snowmobile users may even visit by snowcoach and/or snowshoe or ski in the Parks if they are closed to snowmobiles. It is not clear whether snowmobile users who responded to the survey had an opportunity to indicate whether they would switch recreation activities.

- The EIS does not address how the *values* of Park experiences change in response to snowmobile closures, with other visitors enjoying the experiences. It appears that only *outputs* were evaluated, without any discussion of benefits and values in the DSEIS. The stated purposes of decreasing wildlife impacts, reducing air pollution, improving visibility, reducing noise impacts, etc. all have economic values that are not monetized, quantified, or even described qualitatively in this analysis. Survey data based on those values, if they were completed and evaluated, could overwhelm possible costs to the regional economy and indicate substantial economic benefits to the region and the nation. A Federal decision should be based on sound benefit and cost decision criteria, both monetized and non-monetized, in addition to regional impacts. NPS could dramatically improve this analysis with a National survey on the benefits that the U.S. public places on natural resource protection and snowmobile use in the Parks.

For questions regarding these socio-economic comments, please contact Brad Crowder, EPA Economist, 303-312-6396.

Alternatives

This DSEIS analyzes two new alternatives (Alternatives 2 and 3) for allowing continued snowmobile access to these Parks, and one new alternative (1b) that requires snowcoaches. As intended, these alternatives fall within the range of alternatives analyzed in the FEIS. This DSEIS is tiered to the Winter Use FEIS. The decision maker therefore can select from the full range of alternatives and their components from these two documents. For this reason, it may help reviewers if the "Range of Alternatives" discussion (DSEIS p.15) were to include a summary of the major elements of the FEIS alternatives. It would also be useful if this section in the FSEIS were to include a more direct discussion or table representing the similarities and differences between the DSEIS alternatives, and those alternatives analyzed in the FEIS. For example, our review found that the following major elements of Alternatives 2 and 3 were also analyzed in the FEIS:

- Alternatives B and D provide assertive, but time consuming, approaches to limit snowmobile use to cleaner and/or quieter technology. Alternatives E and F would could

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also result in cleaner, quieter snowmobiles, though the approach is less active.

- Alternatives B and F require best available technology for emissions and/or noise.
- Alternatives B and D require development of technologies to meet stated sound objectives.
- Alternative F requires guides accompanying all snowmobiles.
- Alternatives B and D implement an aggressive information and enforcement program to encourage appropriate winter recreation behavior and etiquette.
- Alternatives B and E assertively state adaptive management provisions that would likely have resulted in future caps on snowmobile numbers or area closures.
- Alternatives B, D and E include interim snowmobile caps until a carrying capacity or other required analysis can be completed. Alternative B caps daily use at 1481 total vehicles per day in the three Park Units pending carrying capacity analysis. Alternative E would cap use based on an incentive system for applying new technology.

The most significant difference between DSEIS Alternatives 2 and 3 and the FEIS Alternatives allowing snowmobiles (B-F) is in the lower interim vehicle cap in Alternatives 3. Alternative 3 places an interim daily cap on snowmobiles at 1130 vehicles across the three Park units with no limit on snowcoach numbers. Alternative 2 places an interim daily cap of 1850 snowmobiles in Year 1, with no limit on snowcoach numbers or on snowmobiles on Grassy Lake Road. In Year 3 and beyond, the daily cap in Alternative 2 drops to 1450. In Alternatives B, D, E, 2 and 3, the areas open to snowmobiling and the number of vehicles would ultimately be determined by a carrying capacity analysis. EPA expressed concerns with these interim caps in the Air Quality section above.

In reviewing the alternatives in the FEIS and DSEIS, EPA concluded that FEIS Alternative G provides the best available protection to human health, wildlife, air quality, water quality, soundscapes, visitor experiences, odor and visibility. We have also reviewed the alternatives for allowing continued snowmobile access (A, B, C, D, E, F, 2 and 3) to determine which would provide the best protection of these Park resources while still allowing snowmobile use. Of the FEIS and DSEIS alternatives that allow continued snowmobile access to the Parks, Alternative F would be by far the most protective of Park resources including air quality, human health, visibility, wildlife, and natural soundscapes.

Alternative F:

- Eliminates all winter access to the Yellowstone interior from the West and Mammoth entrances, and from Tower, thereby eliminating, across most of the winter wildlife range, impairment to air quality, visibility, human health, soundscapes, and wildlife. Eliminates all oversnow motorized access to Grand Teton, Jackson Lake and the Parkway except Grassy Lake Road and north of Flagg Ranch into Yellowstone.

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- Caps use at the average daily use for each road segment in areas of the Parks that remain open
- Requires best available market technologies for reducing oversnow vehicle sound and emissions.
- Requires all snowmobiles to be accompanied by an NPS-permitted guide.

The NPS has stated, (ROD, p. 19) "The continued use of snowmobiles as provided in the alternatives studied other than alternative G [the snowcoach alternative] is found to be inconsistent with the health and integrity of resources existing in the three park units." Since NPS found even the most protective of snowmobile alternatives to be inconsistent with the health and integrity of Park resources, the decision maker appears limited to selecting among Alternatives G, 1a and 1b in order to adequately protect these resources.

Purpose and Need

One of the primary purposes of this DSEIS is to obtain and analyze new information from snowmobile manufacturers regarding emissions from current 4-stroke production models, and any other new, relevant information available since the ROD was signed in November, 2000. This DSEIS, for the first time, gives NPS and the public the benefit of laboratory-generated snowmobile emissions data reflecting the current best available technology from two snowmobile manufacturers. The data include both carbon monoxide and hydrocarbon emissions, but are lacking the particulate matter emissions data requested and needed by NPS for analysis of human health, air quality and visibility. Nonetheless, thanks to this new information, NPS and the public can now be assured that despite the lack of test data, FEIS Alternatives B and D were remarkably accurate in setting and analyzing emission objectives that could be acheived by the new technology. The new information provided regarding snowmobile technologies is largely within the range of the information and alternatives considered in the FEIS. FEIS Alternatives B and D projected that snowmobile emissions from new technology would be approximately halfway between the values submitted by Arctic Cat and by Polaris. The new information on emerging technologies indicates that Alternative D actually analyzed a noise standard (60 db) which is far more restrictive than can be achieved by the quietest of today's vehicles. Since we can now be assured that the FEIS accurately estimated likely emission gains from new technology, it is not surprising that the conclusions regarding impacts from snowmobile use remain largely unchanged in the DSEIS. The new information does not alter EPA's support for Alternative G as the environmentally preferred alternative.

Environmental Protection Agency Rating System for Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections

The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections

The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potent satisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Counc... on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

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MAY 29 2002

Ref: 8EPR-N

Steven F. Iobst
Assistant Superintendent
Grand Teton National Park
P.O. Box 170
Moose, Wyoming 83012

Re: Addendum to EPA's 4/23/02 comments on the Draft Supplemental EIS for Winter Use

Dear Mr. Iobst.

On April 23, 2002 EPA Region 8 provided comments to the National Park Service (NPS) on the Draft Supplemental Environmental Impact Statement (DSEIS) concerning winter use in Yellowstone and Grand Teton National Parks. To assure that the environmental impact statement provides the clearest information upon which to base a decision, we are submitting these additional comments. These comments do not replace EPA's original comment letter and should be considered in addition to our earlier comments

First, while EPA's original letter concludes that snowcoaches would provide the "best available protection" to Park resources, EPA did not instruct NPS that it must ban snowmobiles from Yellowstone National Park, as was erroneously reported in the news media. EPA recognizes that the National Park Service has the sole responsibility for making this winter use decision in compliance with guiding policy and regulation and based on input from the public and other agencies.

Second, we note that DSEIS Alternative 2 envisions limiting Park access to snowmobiles that emit 50 percent lower emissions beginning in the 2005-2006 season. Such low emission levels would not be required under EPA's currently proposed regulations for new snowmobiles until 2010. Implementing Alternative 2 will require a change in NPS authorities to allow a snowmobile emissions limit for these Parks that would be lower than EPA's emissions limit. The NPS is to be commended for investigating alternatives to consider the fastest possible means of improving the degraded air quality in the Parks.

Finally, we would like to add some information regarding the availability and direction of new snowmobile technology. Emissions control technology for snowmobiles continues to evolve. Today, there is a broad range of control technologies available to reduce emissions from snowmobiles. These include the addition on some models of four-stroke engines, the use of electronic fuel injection with four-stroke engines, the use of semi-direct and direct fuel injection for two-stroke engines. The potential emission reduction benefits from these and future technologies is dependent on the engine calibration and the amount of horsepower the engine generates.

Perhaps the most protective way to define current "best available technology" (BAT) is to describe it based on emissions performance of a basic technology approach and not on engine design or operating characteristics alone (i.e. four-stroke engines). One approach for 2003 would be to set current BAT as any snowmobile that is capable of reducing hydrocarbon (HC) emissions by 90% and carbon monoxide (CO) emissions by 70% from the established EPA baseline emission levels of 150 g/kW-hr HC and 400 g/kW-hr CO. This level of emissions could be achieved by using a well calibrated moderately powered four-stroke engine. There are currently two models in production which can meet this definition, both are under 55 horsepower. If NPS uses an emissions-limited BAT definition, the FSEIS must, for each alternative that incorporates snowmobile BAT, indicate the authority by which NPS would implement an emission limit more stringent than proposed EPA limits.

For the longer term, there is the potential for additional improvement to snowmobile emissions. If today's BAT snowmobiles, as described above, were modified to allow the use of a catalytic converter similar in size and efficiency to that used on highway motorcycles today, pollution emissions could be further reduced. EPA would expect this technology could result in reductions of HC emissions by 95% and CO emissions by 80%-85% from the established EPA baseline emission levels. While there are no snowmobiles designed today that meet this level of emissions reduction, the technology is available. There are a number of highway motorcycles equipped with small displacement four-stroke engines that have been using catalysts for several years. The greatest challenges to introducing this technology include added unit cost, added weight, lack of market or regulatory incentive, lead time, and re-engineering the chassis to package the catalyst. Snowmobile manufacturers are already working on their 2005 models, so the earliest possible availability would the 2007 model year. EPA has no information that this technology will actually be available that model year.

We trust that this additional information will be useful to you in developing the FSEIS.

Sincerely,

Robert E. Roberts
Regional Administrator

DIRK KEMPTHORNE
GOVERNOR

May 28, 2002

Steve Iobst
Grand Teton National Park
P.O. Box 170-
Moose, WY 83012

RE: Grand Teton and Yellowstone Winter Use Plan Draft Supplemental Environmental Impact Statement

Dear Mr. Iobst:

The State of Idaho has been involved in the Grand Teton and Yellowstone Winter Use Plans since the development of the original draft use plan. The planning effort has been hampered by lawsuits, unrealistic planning deadlines and the development of alternatives that are based more on politics than innovative recreation planning and management.

The development of the *SEIS* was necessary, in our view, because the National Park Service (NPS) failed to provide the public with adequate time to comment on the original selected *Alternative 1a*. This alternative was not provided in the *Draft EIS*.

There is a clear distinction between all of the alternatives in the *SEIS* on personal freedom and recreation opportunities. *Alternatives 1a*, *1b* and *3*, all require visitors to either use a permitted guide or a snow coach service. *Alternative 2*, while capping visitor numbers, does allow visitors to travel on designated snow routes without a guide. *Alternative 2* provides visitors with the greatest choice for transportation, while the other alternatives mandate a guide or snow coach. The *Draft SEIS* fails to point out that millions of acres of backcountry non-motorized recreation experiences are available in the park units for those who desire solitude and natural soundscape, under all of the alternatives.

While the NPS did not select an alternative in the *Draft SEIS*, it is clear throughout the document, that NPS's preferred alternative is *1a*. Both *Alternatives 2* and *3* were placed in the negative light. Either one of these alternatives will provide significant improvements to visitor enjoyment and the natural environment over the existing situation.

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One example of the bias towards *Alternative 1a* is the soundscape analysis in the document. The draft EIS fails to state that the opportunity for natural sounds abounds in all three park units. *Alternative 1a* and *1b*, would offer only a 1 percent increase in total acreage for natural soundscape. Under *Alternative 2*, which assumes maximization of snowmobile use (which is unlikely), the opportunity for natural soundscape would decrease by 2 percent when compared to *Alternatives 1a* and *1b*. There would still be 84 percent of the land within Yellowstone National Park (YNP) available for natural soundscape.

Another example of bias is the information given on the emission standards. Idaho's view is that the amount of emissions is underestimated for *Alternatives 1a* and *1b* and overestimated for *Alternative 2*. The emissions analysis associated over snow vehicle groomer use with heavy truck emissions. Groomers are operated differently than on-highway heavy trucks and are not equipped with emissions equipment. The emissions analysis for *Alternative 2* assumes the maximization of snowmobile use (166,000 snowmobiles) while the recent average has been 65,000. It is more likely this recent average on the number of snowmobiles will stabilize or decrease, rather than increase. At the current levels of use, Alternative 2 and 1 have a slight difference in emission output.

Despite the conclusions drawn by the NPS in regards to the socioeconomic impacts associated with the winter use plan in the Greater Yellowstone Area, reduced winter visitation will have negative long-term impacts. This is especially true if Alternatives *1a* or *1b* were introduced.

It is difficult to address the impacts of a given action, let alone the impacts to gateway communities, the region, or states involved. The difficulty is further compounded by the NPS' statement that '*the impact of a price increase is unknown*'. The NPS admits that they do not know (and that there is no way to model) the impacts and effects of the change. The analysis used to support the choices of *Alternatives 1a* or *1b* in the *Draft SEIS* is based on survey data collected prior to the supplemental draft. The data does not reflect the changes to the alternatives. How can this data be used to estimate the impacts to choices that did not exist at the time? As such, it is not a reliable tool to determine how an individual's behavior may change.

On page 152, the NPS states, '*At this time, future visitor use capacity changes, if any, (other than those implied by the current alternatives) are subject to adaptive management adjustments.*' From the outset, the NPS has been unwilling to discuss carrying capacity levels in the parks. They have also been unwilling to discuss adaptive management strategies (i.e., a reservation system, limiting the number of snowmobiles in the park, permits, etc.). Rather, focus has been placed on removing snowmobiles from the parks. This focus continues in the *Draft SEIS*, with *Alternatives 1a* or *1b*.

In *Chapter III, Affected Environment*, the NPS indicates that most counties in the region have an '*economic base dominated by tourism*' (page 92). One paragraph later, under a

discussion of *Income and Employment*, there is a discussion of the '*diversification of the economy in the GYA*' which has helped keep unemployment levels low. This is a gross simplification of the economies of the gateway communities. In Fremont County, Idaho, the economy is dominated by agriculture and tourism. Both sectors have experienced declines. Jobs in these sectors tend to also be low paying and seasonal. Individuals, faced with a slowing economy, may choose to leave the area and look for better, higher paying jobs elsewhere. Out migration may be the reason for low unemployment levels, not the diversity of the economy.

There are also several instances where potential impacts to gateway communities, the region and the surrounding states are dismissed as having a minor to negligible negative impact (an impact of less than one percent). While this may be true in larger economies (i.e., the surrounding states and the larger region), the impacts to the gateway communities cannot be so easily dismissed. Who decides if an effect is minor or negligible? The loss of any job in a rural community has impacts. Other jobs will also be affected. While it is true that the potential loss of nearly 500 jobs can be absorbed into a state's or even a region's economy, job losses in a local economy have direct and indirect impacts. The NPS simplifies their arguments by dismissing the other gateway communities as having '*no measurable economic impact*'. They all will be affected, regardless of whether or not the communities fit the model (and thus can be measured).

On page 150, the NPS discusses the costs involved in purchasing 4-stroke snowmobiles in place of 2-strokes. In discussing the costs, the NPS asserts, '*this increased cost should (in the long run) lead to marginally lower demand for rental and purchased 4-stroke machines*'. This is not true. Once more of these machines (cleaner, quieter, etc.) are in the market, the price will decrease. As technology improves, the costs of manufacturing the machines will decrease. These are basic economic principles at work. Once the costs for producing the machines drop, the prices will decrease and more individuals will be able to afford them. If they are avid snowmobile enthusiasts, the increased costs will not affect their decision to snowmobile in the parks (especially if that is all that is allowed).

While *Alternatives 1a* and *1b* would have the least effect on ungulates, both *Alternatives 2* and *3* could be modified to have similar effects as *Alternatives 1a* and *1b*. By imposing a permit system under both alternatives, the NPS has the ability to control the times that snowmobiles enter the park. This will allow NPS to facilitate travel operations in a more scheduled and controlled operation than under the current management situation.

Idaho does not agree with the NPS assertion that *Alternatives 2* and *3* will have the increased risk of accidents and conflicts compared with the current use environment. Both alternatives will lower speed limits for snowmobiles and impose nighttime restrictions. The addition of license requirements for snowmobilers has reduced the accident rate within YNP.

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Visitor access is not the same across all three alternatives. While the actual numbers of visitors allowed stays the same with all alternatives, *1a* and *1b* will reduce the amount of visitation to the parks. The NPS assumes that snowmobile rental operations will switch to snow coaches or mat track van conversions. This is a fundamental flaw. The average retail cost of a clean snowmobile is $7,400 while a Suburban with Mattracks can run to more than $50,000. While snowmobiles can be sold or traded off at the end of the season at least at a break-even point, a full-size vehicle can be more difficult to replace. It is unlikely that there will be enough businesses to purchase enough snow coach conversions to reach the maximum visitation numbers under *Alternative 1a* and *1b*.

Alternative 2 provides the best management scheme for winter use in Yellowstone and Grand Teton National Parks. It provides ample backcountry non-motorized recreation opportunities and well as a diversity of options for motorized transport. *Alternative 2* improves air quality, wildlife interaction, visitor safety, and visitor access over the existing situation. For those reasons, we encourage the NPS, as a cooperating agency to adopt *Alternative 2* as the final winter use plan for Grand Teton and Yellowstone National Parks.

Specific Comments

The *SEIS* failed to address the grooming and use of the Cave Falls Road at the southwest corner of Yellowstone National Park. The groomed trail intrudes into Yellowstone approximately 1.5 miles. Snowmobile transportation should not be eliminated to this scenic destination. Fremont County provides for the grooming of this trail with Idaho snowmobile registration money. Idaho believes a snowmobile use closure to Cave Falls would be difficult and expensive for the NPS to enforce and that snow coach service would be economically unfeasible. Idaho encourages the NPS to leave this groomed route open to snowmobiles.

On page VII of the *draft Summary*, the planners assert under *Visitor Experience* that expectations for quality winter recreation experiences are different for different user groups. This is only partially true. Our research as well as others, has shown that different parties within the same user group have different expectations for quality winter recreation experiences. The Idaho Department of Parks and Recreation 2000 Recreational User Study found that 83.1 percent of Idaho's snowmobilers wanted more backcountry trail opportunities. Individuals within both motorized and non-motorized recreation groups desire solitude. Other individuals desire a social experience while recreating. The *SEIS* fails to point out that the opportunity for solitude is much greater for non-motorized visitors than it is for motorized visitors with the national parks. Motorized visitors are restricted to designated groomed routes, while non-motorized visitors have the opportunity to visit the remote backcountry within the parks.

In *Actions Specific to Yellowstone National Park for all Alternatives* on page 19, one action proposes to set parallel trails on one or both sides of the snow roads to facilitate

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non-motorized access. This action will only help to facilitate only one type of non-motorized access, diagonal cross-country skiing. The action will do nothing to facilitate access for either skate skiers or snow shoers. The statement should be modified to state which access type will receive the benefit. Even if the snow roads have set tracks, the number of skiers who will be able to ski from West Yellowstone or Flagg Ranch to Old Faithful will be very few because of the distance involved.

On page 27, the *SEIS* states that many people contend that motorized use has greatly affected opportunities within the GYA. This statement is more of a reflection of the lack of non-motorized winter recreation opportunities than the amount of motorized use within the GYA. Outstanding backcountry ski opportunities do exist within the GYA, but a lack of access to many of those areas is a real problem.

The likelihood of the Grassy Lake Road being groomed by the Fremont County Snowmobile Program is low under *Alternatives 1a* and *1b*. The restrictions on snowmobiles under 1a, and 1b, would preclude Fremont County from grooming that route. The Fremont County Snowmobile Program is funded by snowmobile registration money that can only be used to benefit snowmobile use under Idaho Law. Will the NPS take over the grooming of the Grassy Lake Road under this alternative?

The *draft SEIS* on page 92, under the section of *Income and Employment*, infers that the unemployment rate within the five county area is relatively low at an average of 3.8 percent in 1997. While this may be true for some counties, Fremont County, Idaho had an employment rate of 7.0 percent in 2000. The *final SEIS* needs to expand the discussion in this section while some counties in the GYA might have low employment, others have moderate to high unemployment rates.

On page 99, the *draft SEIS* discusses *Air Quality and Air Related Values*. The statement " Over the past ten years, increases in the number of visitors using snowmobiles in YNP and GTNP have intensified concerns regarding air pollution". The number visitors using snowmobiles during the past ten years has peaked and has declined.

The discussion of *Air Quality* places all the emissions on the snowmobiles. All motorized vehicles used within the parks produce carbon monoxide, unburned hydrocarbons, particulate matter and volatile organic compounds. In addition, the warming and lodging facilities also produce these emissions.

The finding on the EPA Proposed Rule that recreation vehicles currently contribute about 8 percent of HC emissions and 5 percent of CO emissions is at best a good guess. This finding used incorrect information for this finding. For example, the EPA assumes that the average All-Terrain Vehicle traveled 7,000 miles per year. This amount of use is on the high end and demonstrates the need for further detailed research on recreation vehicle use and emissions.

On page 165, the *Draft SEIS* compares the effects of implementing *Alternative 2* on public health and safety. The *Draft SEIS* fails to state that *Alternative 2* should reduce the amount of collisions from the existing situation. Under *Alternatives 1a* and *1b*, while snowmobile accidents would be eliminated, because of their ban, snow coach accidents could be expected to increase. The conclusion on page 166 is only partially correct. While there would be adverse effects to public safety when compared to *Alternative 1*, *Alternative 2* would decrease the adverse effects to public safety compared to the existing situation.

Chapter 4 of the *Draft SEIS* makes the wrong assumptions when analyzing the effects of implementing the alternatives on the natural soundscape. If present visitation levels stay relatively unchanged or decrease under *Alternative 2*, there should be an increase in the amount of natural soundscape compared to the existing situation. Most of the increase would be due to clean and quiet snowmobile technology and reducing the speed limit. The study analyzes *Alternative 2* as having the maximum visitation.

On page 256, covering *Visitor Experience*, the *SEIS* makes the statement that a net improvement in the groomed trail surface would be expected under *Alternatives 1a* and *1b*. While snowmobiles would be replaced with snow coaches and the total number of vehicles decreased, Idaho believes that there would be no improvement in groomed trail surface conditions. Snow coaches, especially those equipped with Mattracks, have different impacts to the groomed surface when compared with snowmobiles. Snow coaches generally wear out a trail faster than snowmobile traffic. If snow coach traffic is increased to a level to accommodate the present population, we believe that trail surface conditions would become worse, rather than improve.

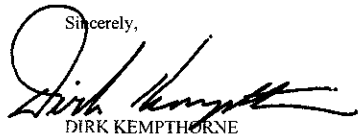
Idaho disagrees with the NPS assessment on page 264 that *Alternative 2* would have a moderate adverse effect on backcountry users when compared to *Alternative A* in the *FEIS*. Backcountry users have millions of acres within all three national park units to experience solitude and the natural soundscape. Granted those visitors have to travel through areas with motorized use, under this alternative, the opportunity is still there. NPS continues to make the assumption that snowmobile traffic will increase under this alternative. On the other end, if snowmobile use decreases, the effects of this alternative would be better than the existing situation.

Conclusion

The State of Idaho supports the adoption of *Alternative 2* as the plan for winter management in the three park units (Yellowstone, Grand Teton, and John D. Rockefeller Memorial Parkway). *Alternative 2* provides visitors with the greatest choices in transportation, while protecting park resources. Idaho supports the adaptive management process.

We are disappointed that the NPS did not incorporate more of the information that the cooperating agencies provided for the analysis. We are left with the distinct impression, that the NPS would rather implement the original FEIS alternative, rather than undergo this process. There appears to be a continued effort by park planning staff to remove snowmobile transportation from the parks.

Sincerely,



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May 25, 2002

Winter Use Draft SEIS Comments
Grand Teton and Yellowstone National Parks
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Moose WY 83012

Dear Planners,

Thank you for the opportunity to provide public comment on the Draft Supplemental Environmental Impact Statement (DSEIS) for Winter Use in Yellowstone and Grand Teton National Parks. Please include these comments in the official record.

One of the major themes that run throughout the document is "visitor experience" and the suggestion that snowmobiles negatively affect other user-groups experience. However, little to no mention is made of the visitor experience impacts associated with eliminating one user group in favor of another user group. While the National Park Service is to be commended in its efforts to reduce "conflicts" with various user groups, it must be recognized these conflicts will not be eliminated with Alternatives 1a and 1b.

Alternatives 1a and 1b call for the phased in prohibition of snowmobile access to the Parks. While certainly, a prohibition on snowmobile access to the Parks will eliminate conflicts for the population who desire no snowmobile access to the Parks, it will not eliminate the conflict for those without the means, ability or desire to access Yellowstone Park via non-motorized access or snow coach only access.

Following the logic presented in these options and that of the Record of Decision resulting from the Final Environmental Impact Statement, prohibiting non-motorized access to Yellowstone Park and only allowing snowmobile access would eliminate user group conflicts.

Is it wise policy to judge, which user-group is more deserving or more appreciative of the values associated with our National Park system?

By instituting a ban on snowmobile access to Yellowstone Park, the Park Service is in effect placing a value judgment on user groups and deeming non-motorized users a more appropriate group to access Yellowstone Park at the expense of those without the means, ability or desire to access the Park by non-motorized options.

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Accessing Yellowstone Park's more popular and attractive sites via snowshoe or cross-country skiing is a challenging task that limits the access to these sites to a very limited number. From the West Yellowstone entrance, Old Faithful is approximately 60 miles roundtrip. West Yellowstone is the most direct and shortest route for visitors to travel to Old Faithful. West Yellowstone, with its winter accommodations and location have made West Yellowstone the preferred choice for winter users to access Yellowstone Park and Old Faithful. Given the distance, it is clear that only the fittest of outdoor enthusiasts will ever be able to witness Old Faithful or similar sites during the winter season.

Granted, allowing snow coach access as an alternative to non-motorized access provides an opportunity for those without the means, ability or desire to access the Park through non-motorized means, however, visitor adaptation to this alternative continues to be questionable.

More importantly, providing a snow coach alternative to replace individual snowmobile access does little if anything to address the concerns of "visitor experience" or "user conflict".

The Park Service and some user groups have expressed dissatisfaction with the sound, odor and quantity of snowmobiles. "These vehicles affect the solitude, quiet and clean air and other resource values that many people expect and wish to enjoy in national parks."

While certainly it can be assumed that the number of motorized vehicles accessing Yellowstone Park will be reduced with a phase out of snowmobiles, it is not a safe assumption that replacing snowmobiles with snow coaches will protect these values.

In fact, it is questionable that air quality would be substantially improved with a complete conversion to snow coach only access. If historic numbers of visitors to Yellowstone Park are to be maintained, which has been publicly stated by Yellowstone Park officials on numerous occasions, then the related increase in snow coach numbers will be substantial. If snow coaches were operating in a clean and quiet technology mode similar to snowmobiles, significant improvements to air quality could be recognized. However, technology for clean, fuel efficient, quiet snow coaches does not presently exist.

It is important to note, that despite public perception to the contrary, the West Yellowstone entrance has not recorded any violation of state or national air quality standards during the past four winter seasons.

Montana Department of Environmental Quality (MDEQ) began operating a continuous carbon monoxide monitoring station at the West Yellowstone entrance in October 1998. While there have been no violations of state or national air quality standards, it is appropriate to reduce emissions for improved air quality and improved human health conditions.

Since 1995, MDEQ has been examining methods to reduce snowmobile emissions such as bio-fuels, technology, and express lanes and snow coaches. Laboratory tests have shown that ethanol blend fuel and low-emission lube oil could reduce emissions by 11 to 60 percent in some snowmobiles. The fuel and lube combination has been used by rental operators in West Yellowstone since 1997.

Another promising approach is to reduce snowmobile emissions using technology. Since 1999, MDEQ has helped direct and sponsor the Society of Automotive Engineers (SAE) Clean Snowmobile Challenge (CSC). The CSC event held in Jackson, Wyoming, and challenges collegiate teams to design and operate a snowmobile that is cleaner, quieter, while maintaining or improving performance.

At the March 2002 Challenge, the MDEQ presented the lowest emissions award to a Colorado State University student who had entered a two-stroke Suzuki that reduced CO emissions by 99.4 %.

It is clear that technology is fast improving emission and sound related issues on snowmobiles.

While this technology is only as good as industry and consumers adopt it, it is becoming increasingly apparent that both industry and consumers are receptive to these improvements. Manufacturers of Arctic Cat are already producing for public retail, four stroke machines that are remarkably cleaner and quieter then machines produced even two years ago.

As industry strives to improve emission and sound on its machines, new generation machines will replace the technology of the old, both in the general public and with retail operators in gateway communities.

Snow coach technology has made little improvements in related fields. In fact, the DSEIS analyzes emissions and sound from snow coach technology that has been around for years, while technology for snowmobiles continues to improve as we speak. At current rates of improvement for both snowmobiles and snow coaches, ten years will likely produce extremely quiet and extremely clean snowmobiles, while snow coach technology will likely remain unchanged.

In part this is due to the initial cost of purchase for snow coaches and snowmobiles. West Yellowstone retail rental businesses trade snowmobiles every year, thus acquiring and providing the latest in technological improvements. Compared to projected snow coach initial investment, snowmobiles are much more affordable. Because of the high initial investment in individual snow coaches, there will be no annual turnover of these machines, thus lowering incentives for adapting to new technologies and lowering incentives for producers of snow coaches to improve models.

Allowing continued snowmobile access to Yellowstone National Park would encourage investments toward cleaner, quieter machines. Prohibiting snowmobile access and only allowing snow coach access (if fully adopted by the public) will stabilize improvements to air quality and noise emissions at current rates for snow coaches. Expect no major improvements in air and noise emissions with snow coach only access for the foreseeable future.

Health impacts to Park personnel working at the West Entrance are duly noted and acknowledged. However, restricting access to Yellowstone Park to clean, quiet snowmobiles would significantly reduce these negative impacts. Additionally, efforts the Park Service undertook earlier this year to decrease waiting lines at the entrance will help address those concerns.

Efforts to streamline access and minimize lines combined with clean and quiet snowmobiles will further reduce negative health effects.

Impacts to wildlife

Concern has been raised throughout the document that impacts to wildlife are excessive and a bias against snowmobile use is evident. While a thesis by Amanda Hardy of Montana State University presents that both elk and bison reflect initial negative responses to human activity, the thesis further suggests that both species appear to habituate to traffic throughout the winter recreation season.

A mere mention of the impacts associated with off-trail users is not sufficient. The Hardy Thesis clearly indicates that bison and elk exhibit the strongest negative responses to off-trail travel (skiers, snowshoers). While elk and bison have shown through anecdotal evidence and the Hardy thesis that they habituate quickly to winter use by snowmobilers, the evidence does not exist for off-trail users. Prohibiting snowmobile use in Yellowstone Park would not lesson impacts to wildlife, but instead probably increase negative impacts by off-trail users.

Those traveling by snowshoe and cross-country ski are much more prone to startle animals, initiating an extreme flight response not exhibited by users of snowmobiles. As snowmobiles cease to exist in Yellowstone Park, surprise and negative responses by elk and bison will continue to increase. If the goal of Yellowstone Park managers is to minimize negative impacts to wildlife by substantially increasing non-motorized use, then the goal will be a miserable failure.

The Hardy Thesis concludes "...that winter recreation in YNP is coexisting with bison and elk without causing declines in population levels and that continued use of traditional winter range remains essentially unchanged despite a substantial increase in winter visitation".

Nevertheless, the SDEIS dismisses the conclusions of the evidence and reverts back to anecdotal observations obtained by Park personnel. The SDEIS concludes, minus any evidence whatsoever, that *"However, the fact that elk FGC levels increased with increasing amounts of traffic indicates that nonobservable responses do occur and may*

contribute to chronic stress. Chronic stress may affect resistance to disease and survival, and may inhibit reproductive potential."(pg 126 DSEIS).

Bison populations during the 2001-2002-winter season have once again rose above the 3,000 count. Despite a hard winter in 1996-97 when large numbers of bison were removed from the population and that the overall population is infected with brucellosis, a disease that lowers reproductive rates, bison numbers have continued to expand outside the carrying capacity of the Park.

Additionally, if harassment and displacement of individual animals remains a stated concern, barring a complete prohibition on human activity within the Park during winter months, harassment and displacement will obviously continue.

While the DSEIS spends considerable time discussing the impacts to wildlife, acknowledging, *"While it is true that the literature does not contain conclusive evidence that oversnow motorized use is adversely affecting ungulate populations in the parks..." (pg 117),* no discussion is held with regard to impacts associated with non-motorized users.

Granted, non-motorized use of the Park is limited at this time. Again if as the DSEIS suggests, non-motorized use will increase, substantive discussion should be held as to the data suggesting increased negative responses by wildlife to non-motorized users.

While most harassment, herding and unsafe attempts to bypass wildlife in roadways is currently the result of motorized users, it is important to keep in mind that overwhelming use of Yellowstone Park is motorized use. If snowmobile use is banned, predominate use of the Park will be by non-motorized users, thus increasing harassment, herding etc. by non-motorized users. Considering the Hardy Thesis, harassment impacts may actually increase since studies show elk and bison react more negatively to non-motorized users than to motorized users.

In summary, if the objective is to minimize impacts to wildlife, the DSEIS fails to consider in proper analysis, the impacts to wildlife from increased non-motorized users.

Socioeconomic

While socioeconomics cannot be the driving force behind decisions to protect Park resources, greater recognition of the impacts associated with all the alternatives should be acknowledged.

West Yellowstone is widely recognized as the "snowmobile capitol of the world". Once a community that derived its income primarily from summer visitors, West Yellowstone has evolved into a community recognized for its winter recreation use as well as its summer opportunities. Implementing alternatives that severely restrict motorized access to Yellowstone would have potentially devastating impacts on the community of West Yellowstone.

The DSEIS acknowledges that a $21 million loss to the Greater Yellowstone Area (GYA) by implementation of Alternatives 1a and 1b, would be concentrated in smaller communities located near the Park. West Yellowstone, currently the most popular of the Gateway communities would undoubtedly bear the largest brunt of this loss.

The DSEIS dismisses this impact as insignificant when viewed with West Yellowstone's year-round economy, but offers nothing in the terms of dollar impacts to this specific community.

In a study conducted by James Slyvester, of the Montana Bureau of Business and Economic Research (Snowmobiling in Montana: A 2002 update), Mr. Slyvester projects a decline in non-resident expenditures to West Yellowstone's economy of between $10 - $15 million annually. In his research, he assumes that other winter users will replace some of the snowmobilers, and the $10 -$15 million-loss accounts for the increased expenditures of these other users.

Mr. Slyvester further projects that as many as 150 jobs may be lost if the National Park Service limits snowmobiling in the Park.

These impacts to Gateway Communities should be given greater weight in the final decision making process. Economic opportunity in Montana is limited and this impact as the State moves from an extractive resource base into service and tourist based industries is unacceptable harm.

Decision-makers must carefully analyze decisions that affect federal lands as those decisions often are felt in ripple effects across much greater regions.

Personal investments in infrastructure have been made in West Yellowstone based upon the growing demand for accommodations and services associated with motorized access to Yellowstone National Park. These investments, primarily by small business owners, have assisted in expanding opportunities year-round to non-resident and resident recreationists alike.

Again, Yellowstone Park resources should not be sacrificed for the benefit of small business owners outside the Park. However, greater emphasis should be placed on recognizing the economic impacts to local communities and searching for the compromise that respects economic contributions, Park resources and visitor access.

Small business owners in West Yellowstone have acknowledged that limits on snowmobile use and improvements to both noise and air emissions are necessary to protect the Park. Small business owners in West Yellowstone have been at the forefront of aggressively pursuing change that benefits the variety of interests at stake.

Reasonable limits on snowmobiles entering Yellowstone Park and restrictions on noise and air emissions are not only accepted by the small business community, but are

wholeheartedly endorsed. West Yellowstone small business operators have approached Park personnel on a number of occasions with suggestions, ideas and contributions to improve visitor experience and reduce negative impacts.

From improved trail grooming techniques to voluntary use of more environmentally friendly fuels, West Yellowstone businesses have a vested interest in protecting Yellowstone Park and visitor experience.

Small business owners, many of who have lived in the area for years are extremely knowledgeable about snowmobile operations from trail grooming to emission factors. Their business survival is dependent upon satisfied customers and satisfied customer experiences in the area. Small business operators in the Greater Yellowstone Area are willing to assist the Park Service in an attempt to improve conditions throughout Yellowstone National Park. Greater emphasis should be placed on the local communities both in terms of their knowledge of existing conditions and their experience in offering solutions. I would encourage Planners to rely more heavily on those most directly affected by the ultimate decision.

Montana's Preferred Alternative

Given the range of Alternatives discussed in the DSEIS, the State of Montana prefers Alternative 2 with a caveat.

Alternative 2 provides for snowmobile limits through the West Entrance at 900 per day in 2002-2003, 700 per day in 2003-2004 and 500 per day from 2004-2005 forward. These limits would be in place until a visitor capacity study is completed prior to the 2005-2006-winter season.

Alternative 2 also calls for limiting snowmobile access to clean, quiet snowmobiles from rental operators, which accounts for 70% plus of the existing snowmobile use in Yellowstone Park.

Moving the daily caps from 900 per day to 500 per day in a three-year period appears to be unjustified in light of the fact that a visitor capacity study is being conducted during the same period. Randomly moving limits down prior to the results of the visitor capacity study is unnecessary and does not meet any specific goals.

The negative economic impacts inflicted to West Yellowstone small business operators would be substantial by randomly moving limits downward. Instead, the State of Montana would prefer the daily cap be held at 900 per day until the visitor capacity study is complete. With the visitor capacity study complete, the Park Service could justify caps through the West Entrance more easily.

Throughout the planning process, as a Cooperating Agency, I have expressed the State's concern over declining numbers through the West Entrance. I have based those concerns primarily on the possibility that winter users will not adopt snow coach accessibility to Yellowstone National Park.

Park personnel have repeatedly stated their belief that any reduction in snowmobile numbers will be transferred to snow coach and non-motorized access. Park personnel have also repeatedly told cooperators that they endeavor to maintain current use rates of Yellowstone Park.

At issue here is the current visitor use of Yellowstone Park. Small business owners have repeatedly told me that they will readily accept substantially reduced snowmobile access limits as long as current visitor use is maintained. Their concern is not snowmobiles per se, but instead on "heads and beds". In short, if non-motorized and snow coach use replaces numbers visiting Yellowstone National Park are maintained, limits of any size are not viewed as harmful to small business owners. Business will adapt and shift resources to accommodate these new access modes.

Park personnel have repeatedly attempted to assure the State that adaptive management strategies will allow snowmobile caps to reflect the shift in visitor usage. If for example in year two, with a 700 snowmobile cap at West Yellowstone does not produce a 200 per visitor use of snow coach and non-motorized users, then adaptive management strategies will allow for more snowmobile access.

While I recognize that adaptive management allows flexibility for managers, it provides no assurance to business owners who do not have the luxury of this type of flexibility. Mortgages, payrolls and investments must be acknowledged regardless of management strategies of federal employees.

With these thoughts in mind, I suggest that the Final Supplemental Environmental Impact Statement drop the lower West Yellowstone caps in years two and three. Adaptive management strategies would allow these caps to lowered if visitor use began to shift to non-motorized and snow coach visitation.

In addition, maintaining the cap throughout years two, three and beyond would provide greater stability to business owners as they prepare for the visitor capacity study.

Alternative 2 is an alternative that provides a compromise to the current debate while acknowledging the investment and contributions of the local economies. Alternative 2 also provides for a mechanism by which visitor capacity studies could be conducted.

Alternative 2 moves to cleaner emissions and quieter machine use while still maintaining the preferred mode of access to Yellowstone Park.

By increasing ranger patrols to minimize wildlife conflicts and by working with local business owners to further improve conditions at the gate entrance, Yellowstone Park can be protected for generations to come.

Alternatives 1a, 1b and Alternative 3 are entirely unacceptable to the State of Montana.

Again, thank you for allowing the State of Montana to provide comments and participate in this process.

Sincerely,

Todd O'Hair
Natural Resource Policy Advisor
Governor JUDY MARTZ
Montana

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May 23, 2002

Planning Office
Grand Teton National Park
P.O. Box 352
Moose, Wyoming 83012

RE: Winter Use Draft SEIS Comments

Dear Sir/Madam:

The Board of County Commissioners of Park County, Wyoming, a cooperating agency with the National Park Service (NPS) on the Winter Use Supplemental Environmental Impact Statement (SEIS), hereby submits the attached comments and letter as our official comment on said document.

We look forward to the coming meetings to finalize the draft and prepare the Final Supplemental EIS for winter use in Yellowstone and Grand Teton National Parks.

Our continued participation in the SEIS process proves that local government can provide meaningful comment and the added dimension of our local special expertise improving federal decision-making.

We agree with the NPS's proposed use of adaptive management in allowing for continued use of the Parks by all forms of winter travel as described in Alternative 2. Your evaluation capability and ability to meet changing visitation situations and technology will be greatly enhanced. Timely and relevant data and information would be of major importance, as would its analysis and reporting for decision-makers.

1002 Sheridan Avenue Cody, Wyoming 82414 (307)527-8510 Fax: 527-8515

Park County is ready and able to continue working with NPS officials to identify data and information needs, protocols or procedures for research development including the funding and support necessary.

Sincerely,
BOARD OF COUNTY COMMISSIONERS
PARK COUNTY, WYOMING

Timothy J. Morrison, Chairman

Tim A. French, Vice Chairman

Charles W. Johnstone, Commissioner

Enc: Cover Letter to NPS from Paul Kruse, Consultant for Cooperating Counties
Specific Comments on Draft Supplemental Environmental Impact Statement

cc: Vice President Richard V. Cheney
Gale Norton, Secretary of the Interior
David Smith, U.S. Department of the Interior
U.S. Senator Craig Thomas (WY)
U.S. Senator Mike Enzi (WY)
U.S. Representative Barbara Cubin (WY)
U.S. Senator Max Baucus (MT)
U.S. Senator Conrad Burns (MT)
U.S. Representative Dennis Rehberg (MT)
U.S. Senator Larry Craig (ID)
U.S. Senator Mike Crapo (ID)
U.S. Representative Mike Simpson (ID)
John Keck, Cooperating Agency Liaison for State of Wyoming
Todd O'Hair, Cooperating Agency Liaison for State of Montana
Carl Wilgus, Cooperating Agency Liaison for State of Idaho
Bill Paddleford, Cooperating Agency Liaison for Teton County, Wyoming
Bill Murdock, Cooperating Agency Liaison for Gallatin County, Montana
Ellen Woodbury, Cooperating Agency Liaison for Park County, Montana
Tamra Cikaitoga, Cooperating Agency Liaison for Fremont County, Idaho

WYOMING

DEPARTMENT OF STATE PARKS & CULTURAL RESOURCES
DIRECTOR'S OFFICE

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Cheyenne, WY 82002

(307) 777-6303
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May 28, 2002

Steve Iobst
Grand Teton National Park
P. O. Box 170
Moose, WY 83012

Dear Steve:

Attached are the State of Wyoming's comments regarding the Winter Use Plans Draft Supplemental Environmental Impact Statement (DSEIS) for Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr., Memorial Parkway.

We recognize this is an emotionally charged issue where, for many, there is no middle ground. While the debate for many has become one over snowmobiles, pro or con, the real issue for Wyoming is a question regarding reasonable winter access to these parks for our residents and visitors. Wyoming does not believe the previous decision to ban snowmobiles, and in turn depend solely upon snowcoaches, provides reasonable or dependable access to these parks. We believe previous decisions, as well as actions proposed in the DSEIS, have been based upon flawed data and assumptions. Our comments are, to a great extent, directed at these errors and information gaps. Wyoming has taken its role as a Cooperating Agency very seriously in this supplemental process and we believe the special expertise we offer can assist the Park Service in addressing the many issues at hand.

A strong concern of the State of Wyoming regards the selective review and analysis of data used throughout this process by the NPS and EPA. It appears that data compiled by or selected for use by these agencies is considered sacred and beyond reproach, while data compiled by the State of Wyoming or any of the cooperating agencies is viewed as somehow tainted or biased. Even if the consultant completing the analysis was used by the NPS or EPA for previous studies, suggesting that these organizations were objective when contracted through NPS, but somehow biased when hired by the State of Wyoming.

Jim Geringer, Governor John T. Keck, Director

Steve Iobst
John T. Keck
May 28, 2002
Page 2

The State of Wyoming comments are attached as follows: Section 1 – Highlights of Wyoming's General Position in Regard to Actions Proposed By Alternatives 1a, 1b, 2 and 3; Section 2 – Changes Requested for Wyoming's Alternative #2; Section 3 - General Comments and Questions; Section 4 – Specific Page-by-Page Comments Regarding the DSEIS Document; Section 5 – Specific comments submitted by the Wyoming Department of Game and Fish, Section 6 – Specific comments submitted by the Wyoming Department of Environmental Quality.

Appendix 1 includes new information submitted by the State of Wyoming: Supplemental Over-Snow Vehicle Sound Level Measurements, conducted by Jackson Hole Scientific Investigations, February 2002. A hard copy of the DRAFT document, "Visitor Capacity on Publics Lands and Waters: Making Better Decisions – A Draft Report of the Federal Interagency Task Force on Visitor Capacity on Public Lands has also been mailed to the Grand Teton Planning Office, as per comments in the NPS reply to internal draft comments by the Cooperating Agencies.

Wyoming also incorporates by reference their comments previously submitted on the internal draft SEIS, dated January 24, 2002, to the extent such comments were not addressed by NPS in the DSEIS, and to the extent they are not inconsistent with this new body of comments.

Thank you for the opportunity to submit comments on this DSEIS.

Sincerely,

John T. Keck
State of Wyoming Liaison

Enclosures
CC: Cooperating Agencies
Randy Jones
David P. Smith
YNP
Wyoming Congressional Delegation
Wyoming Governor's Office and Winter Use Team

Section 1: Highlights of Wyoming's General Position in Regard to Actions Proposed By Alternatives 1a, 1b, 2 and 3

This section represents highlights and a general summary regarding Wyoming's positions in regard to actions proposed by Alternatives 1a, 1b, 2 and 3. These positions were developed over 4+ years as a Cooperating Agency for this process and are based upon our attached in-depth analysis of the FEIS and DSEIS. This section does not represent a complete summary of all Wyoming comments, only some of the most important highlights. Instead, readers are referred to Sections 3 through 6 of these comments for specific and in-depth comments and analysis by Wyoming of this DSEIS that substantiate the following positions.

Overall, Wyoming supports the general concepts presented in Alternative 2. We believe the proposed actions presented in this alternative would adequately address the pertinent issues that were identified by the FEIS and DSEIS. The alternative, overall, provides the most reasonable balance between: 1) allowing appropriate public access on an individual level to an appropriate range of activities, and 2) providing adequate, appropriate and reasonable protection for the precious natural resources within the parks. We believe this balance fulfills the National Park Service's dual obligation to conserve, while at the same time provide for the enjoyment of, park resources and values. While we believe Alternative 2 as presented in the DSEIS does a good job of balancing protection with access, we will offer suggestions in Section 2 of these comments in regards to how Alternative 2 could be further refined and improved to even better balance the solutions to issues.

Wyoming believes, after thorough study of the FEIS and DSEIS, that many management actions proposed by Alternatives 1a, 1b and 3 are not reasonable and would, in fact, prevent the Park Service from meeting its dual obligation. Many of the proposed actions in these three alternatives are too extreme for the circumstances. They go too far for no legitimate, only political, reasons. The result is that the Park Service obligation to balance its dual missions is tipped far toward conservation at the expense of eliminating reasonable access to opportunities for the public to enjoy the parks.

Wyoming is opposed to "snowcoach-only access" as proposed in Alternatives 1a & b. Our in-depth comments will substantiate that there are serious concerns about a snowcoach system being the only winter transportation system available to provide public access to the interior of Yellowstone National Park. Furthermore, there have been many serious errors in calculating the potential impacts of snowcoach travel in the parks that have resulted in a serious under-disclosure of their potential impacts.

Wyoming believes that it is apparent the Park Service has understated the potential impacts from snowcoaches in the DSEIS. Wyoming requests that you re-evaluate all stated impacts of snowcoaches based upon the fact that vans converted into snowcoaches have significantly higher emissions than light-trucks and, therefore, snowcoach emissions in the DSEIS are understated by nearly 50%. Sound levels used to calculate snowcoach impacts were also inaccurate which led to flawed and understated impacts.

Wyoming is concerned that the parks are promoting the Mattrack van conversions as the "current best available technology" and the answer to all future transportation needs in the Parks. Our in-depth comments will substantiate that there are serious concerns about this type of snowcoach system being the only winter transportation system available to provide public access to the interior of Yellowstone National Park. New information confirms that these vehicles have such a poor weight distribution that they cut deep ruts in the roads and create maintenance as well as safety problems.

Wyoming supports requiring only "cleaner-quieter" snowmobiles for entry into the Parks. The "new generation" snowmobiles can and will make a substantial contribution toward lowering emissions and sound levels in the parks. However, we believe EPA should determine appropriate emission levels for all snowmobiles rather than the Park Service establishing "park-only" regulations.

Wyoming questions whether the Park Service can legally require "best available technology" for snowmobiles and snowcoaches allowed to enter the parks. The validity of this lingering question has been heightened in light of the recent federal appeals court ruling [Cite: American Corn Growers Association v. Environmental Protection Agency, et al., No. 99-1348 May 24, 2002 (D.C. Cir.)] that a similar EPA rule requiring "best available technology" is unlawful because it undermined states' ability to decide how to best address the situation. In this situation, it seems to be clear that EPA has the authority while NPS does not.

Wyoming believes it is important for the public to be able to visit the Parks in the winter on an individual/personal basis. Based upon our analysis of transportation options, it is clearly obvious to Wyoming that this personal transportation can only be reliably provided by snowmobiles.

Wyoming is opposed to the proposal in Alternative 3 that would require all snowmobilers in Yellowstone to be accompanied by a guide who is permitted by NPS. While we believe guides have an important role to play in providing proper visitor education in YNP, we believe it is inherently wrong and unjustified for all snowmobilers to be required to be in the presence of a guide. Based upon a historically high number of commercial snowmobiles in the park, it may be appropriate to look at such a requirement for 70% to 80% of the snowmobile visitors, but not 100%.

Wyoming is opposed to the proposal in Alternative 3 that would close the Parks to snowmobile access the Friday after President's Day. The winter season for snowmobile access to the parks is already short, typically about 90 days if there is adequate snow by mid-December. Such a closure would eliminate about a third of an already short season. This would be devastating to commercial snowmobiler outfitters who need the extra month of income to try to capitalize their investments. Furthermore, there is no justifiable reason for the last-month-of-the-season closure other than pure bias against motorized access.

Wyoming supports a daily reservation system and interim daily caps for snowmobile entries into Yellowstone National Park. The daily reservation system should have a number of daily reservations set-aside for permitted commercial snowmobile outfitters, in line with the

number of snowmobiles they are allowed to take into the park each day by their NPS commercial use permit. The interim daily caps should reflect historic use numbers and the reservation system should be implemented at gates where daily caps would allow fewer snowmobiles per day than what was experienced at that entrance historically.

Wyoming supports the strict enforcement of rules that require snowmobiles and snowcoaches to operate only on the designated roads within the Parks. There seems to be a large misperception within the general public that snowmobiles are allowed to run anywhere within the parks. The 184 miles of existing winter trails on the road system affords adequate and appropriate access. Off-road travel by snowmobiles within the parks is not appropriate, except on the frozen surface of Jackson Lake for fishing access.

Wyoming supports continued fishing access on the frozen surface of Jackson Lake via snowmobile and snowplane. Jackson Lake is a large body of water that provides a high amount of fishing recreation opportunity for this region of Wyoming. Banning the use of these vehicles to access these recreation opportunities is unjustified and would create a hardship for fisherman.

Wyoming is opposed to the Park Service proposal to quit plowing the roadway between Flagg Ranch and Colter Bay. If NPS decides to quit plowing this roadway and allow only snowcoach travel beyond this point, it will effectively eliminate day-access from Wyoming to Old Faithful and other destinations within the interior of Yellowstone National Park. The distance required to travel by snowcoach would be too great and require an overnight stay at Old Faithful. Furthermore, this proposal is likely to result in a closure of Flagg Ranch Resort since it would no longer be financially feasible for the concessionaire to operate during the winter season.

Wyoming supports a lowered speed limit of 35 mph from West Yellowstone to Old Faithful. Wyoming was an early advocate of lowering the speed limit from 45 mph to 35 mph on these road segments. We continue to believe it is a simple yet important way to improve safety and the visitor experience on these roads. This action also reduces sound levels and helps reduce potential conflicts. Wyoming also advocates for the strict enforcement of all posted speed limits within the Parks.

Wyoming supports expanding educational efforts pertaining to safe and responsible use of the Parks. There are many opportunities for the Park Service to partner with surrounding states, communities and snowmobile associations to expand educational efforts.

Wyoming strongly supports the implementation of interim daily entry limits for snowmobiles. These interim limits are key to solving many of the issues and should be based upon historic daily averages until a long-term visitor capacity study can be completed. However, there must also be some safeguards in place to prevent the economies from collapsing during this interim period in local communities like West Yellowstone, Cody and Jackson.

Wyoming strongly supports requiring the advance sale of park permits in West Yellowstone, and at other entrances if sufficient use levels justify. It has been proven that this management measure can relieve congestion and accompanying issues. However, changes

should be made to further refine and improve this entry system. Permits should be made larger and more visible to speed up lines at the gate. Perhaps the permit should be displayed on the snowmobile rather than on the person. And a mechanism needs to be developed to improve upon annual permit holders having to fumble in their billfold while at the gate to show their permit card.

Section 2: Changes Requested for Wyoming's Alternative #2

Based upon new information and extensive review of the DSEIS analysis, Wyoming requests to have the following changes and refinements made to Alternative #2 to better balance solutions to the issues. Because of numerous NPS modeling errors in the Draft SEIS, as well as new information which has become available since publishing of the Draft SEIS, it is apparent that many sections need to have new or supplemental modeling performed prior to selecting a preferred alternative and publishing a final SEIS. Some of our requested changes will require remodeling of impacts while others will not. Please include these changes when any section is remodeled.

Snowcoaches bullet, page 45: Replace the entire paragraph with the following new language:

- For the first five years, allow mass transit snowcoaches only when their sound levels are at or below 78 decibels as measured on the A-weighted scale at 50 feet at 30 mph pass-by. After five years, allow mass transit snowcoaches only when their sound levels are at or below 75 decibels as measured on the A-weighted scale at 50 feet at 30 mph pass-by. Continue to work with snowcoach manufacturers to decrease snowcoach sound levels.
- For the first five years, any existing mass transit snowcoach (Bombardier, 2-track and 4-track conversion vans) irrespective of vehicle emissions shall be allowed to operate within the parks. Work with snowcoach manufacturers to decrease snowcoach emissions during this 5-year grace period. After five years, only "new concept snowcoaches" will be allowed to operate within the parks. "New concept snowcoaches" are defined as mass transit oversnow vehicles that are propelled by alternative fuels, have improved comfort and customer appeal, and have *measured* emission factors which meet or exceed emission standards of model year 2005 light duty gasoline trucks (LDGT).

Language in the first bullet is revised to recognize the fact that only 26 of the existing 61 snowcoaches (42.6%) would meet the 75-decibel standard that had been proposed. This change would allow time to convert fleets to quieter vehicles.

The second bullet is added upon the realization that there is, mistakenly, no existing emission standard for snowcoaches. Additionally, it establishes a goal and timeline to achieve *measured* emission testing for snowcoaches along with a standard.

Interim Snowmobile Use Levels, page 46: Since "interim" is intended to be "no longer than three (3) winter seasons" with a "long-term" visitor study intended to be complete by the 2005-2006 season, one must balance existing infrastructure and services with realistic potential to disperse use during this short time period. At the same time, there must also be immediate action at the West Entrance to reduce peak use that has continually aggravated the overall winter use debate.

With this recognition in mind, please make the following changes:

North Entrance – limited to: 25 per day
East Entrance – limited to: 100 per day
South Entrance – limited to: 225 per day

West Entrance limited to: 825 per day in 2002-2003
725 per day in 2003-2004*
600 per day in 2004-2005*

* West Entrance entries would decrease during the second and third years of the interim period **ONLY** if a commensurate number of seats on "new concept snowcoaches" become available each year at West Yellowstone to replace the visitors lost by the decrease in snowmobiles. The required number of replacement seats on new snowcoaches would be calculated by the number of snowmobiles decreased times the average of 1.25 passengers per snowmobile. For the 2003-2004 season, it would require 125 new snowcoach seats and for the 2004-2005 season it would require an additional 156 new snowcoach seats. A total of 281 total seats would be required by 2004-2005 to fully accomplish an interim limit of 600 snowmobiles per day. If the additional new concept snowcoach seats are not available from West Yellowstone, the interim limit of 725 to 825 snowmobiles per day would remain in effect until the completion of a long-term visitor capacity study.

CDST – limited to: 75 per day, also accounting for up to 75 per day of the 225 allowed daily though the South Entrance since the CDST is, to a great extent, a "through" trail

The recommended changes for the North, East and South entrances are made in recognition that there will be no changes in infrastructure or available parking made during the interim period. We believe the new recommended numbers will adequately sustain existing use and businesses during the interim period. This recommendation should in no way be construed that we do not still believe long-term capacity should consider higher numbers and changes/additions to infrastructure. In particular, opening concession facilities at Canyon in YNP and in the Jackson Lake/Colter Bay area of GTNP could provide for this additional capacity.

The recommended changes for the West entrance are made in recognition of a need to make immediate changes to address peak use days. The recommendation to start the interim cap at 825 versus 900 would affect, on average, 9 to11 peak days per season versus 12 to14 peak days per season. We believe this change is needed and must be made immediately. The second caveat is added to provide an appropriate degree of insurance that the West Yellowstone economy will not be decimated during the interim period, since it is quite uncertain whether appropriate snowcoaches will be able to pick up the difference in visitor levels.

Late Night Travel, page 46: Delete the language that would delay entry from the West Entrance until 8:30 AM. To make this management action feasible, it would require more snowcoach traffic than what is likely. Therefore, the measure could be counterproductive and cause an undue delay and backups for the proposed timed-entry system.

Section 3: General Comments and Questions about the DSEIS

Wyoming's "Determination of Snowcoach Emissions Factor" Study

On April 23, 2002, the Region 8 EPA office commented in regard to the "Determination of Snowcoach Emissions Factor" report that was published by Southwest Research Institute (SwRI) in December 2001, under contract with Wyoming. EPA was generally critical of this report and stated, "this report is of little use in the SEIS analysis of snowcoach emissions." We take issue with this statement.

It is easy for those who do not participate to cast stones, while those who do step up to the plate are always subject to the barrage of incoming projectiles. The fact is, neither EPA nor the Park Service has done a single thing to determine factual data in regards to snowcoach emissions. The SwRI study represents the first *and only* study ever performed on the subject and was a good-faith effort by Wyoming to bring real scientific data to the SEIS process.

EPA and NPS continue to mistakenly put credence in the false hypothesis that snowcoach emissions are the same as a light-duty gasoline truck (LDGT). While a van may be a LDGT while on wheels, it is transformed into a totally different creature when the wheels are replaced by tracks. The increased stress on the vehicle's drive train, and additional power requirement to operate it, results in an average fuel consumption of 2 to 4 miles per gallon (and that's not simply a decrease of 2 to 4 mpg, it's an overall consumption rate of 2 to 4 mpg). This contrasts with light trucks that average over 15 miles per gallon. While it is true that this particular study focused on only one vehicle, actual fuel logs for the vehicle document that its average fuel consumption was 3.1 mpg. Furthermore, Wyoming interviewed numerous other snowcoach companies and drivers and found that 2 to 4 mpg fuel consumption is indicative of all van conversions used in Yellowstone.

For conversion to a coach, the van must be fitted with a track system, which requires significant more force to propel over-snow than is required to roll a round tire over pavement. The rear axle of the vehicle must also be changed to increase engine speed. Then the stock transmission must be replaced after one year of operation due to substantial wear and tear created by operating the track system. Again, this situation is not unique to the test vehicle but rather is a problem intrinsic to all van conversions. A snowcoach simply is not a LDGT.

EPA states in their letter that, "snowcoaches in these Parks utilizing modern LDGT engines would operate in closed-loop mode except under extreme conditions such as hard acceleration from stop, or climbing steep grades." This statement demonstrates they have no working knowledge of how snowcoaches really operate. If EPA had spent any time in one, they would know that the engine continuously labors to pull the heavy load, which is substantiated by the drastic reduction in fuel economy. It is most likely that snowcoaches spend a disproportionate amount of time operating in an open-loop mode. Since this is the worst-case scenario, it is the mode that should be used for emissions modeling just as NPS has done for snowmobile emissions modeling.

The SwRI report, which again is the best available (and only) data regarding coach emissions, further substantiates that, even in a closed-loop mode, a tracked conversion van has significantly higher emissions than baseline emissions for a LDGT. Table 1 presents the following results from the SWRI study:

- HC emissions are 0.22 to 0.55 times higher than LDGT baseline emissions in closed loop mode and 44.27 times higher than baseline in open loop mode.
- CO emissions are 1.77 times higher than LDGT baseline emissions in closed loop mode and 359.7 times higher than baseline in open loop mode.
- NOx emissions are 7.44 to 8.2 times higher than LDGT baseline emissions in closed loop mode and 27.43 times higher than baseline in open loop mode.
- CO2 emissions are 1.66 to 2.8 times higher than LDGT baseline emissions in closed loop mode and 2.78 times higher than baseline in open loop mode.

Table 1: Snowcoach Emissions, SwRI Report

	Baseline LDGT Emissions	Closed Loop Coach Emissions (% above Baseline)	Open-Loop Coach Emissions (% above Baseline)
Hydrocarbons (HC), g/mile	0.036	0.044-0.055 (+22.2% to +52.7%)	1.63 (+4,427%)
Carbon Monoxide (CO), g/mile	0.275	0.7625 (+177%)	99.2 (+35,970%)
Oxides of Nitrogen (NOx), g/mile	0.064	0.54-0.589 (+743% to +820%)	1.82 (+2,743%)
Carbon Dioxide (CO2), g/mile	552	1471-2103 (+166% to +281%)	2084 (+278%)

EPA also commented that, "it is unfortunate NPS was not consulted in designing this study" and then went on to belittle the SwRI report since it was not done "with NPS guidance". First, NPS had an opportunity for input but exhibited an attitude that they didn't really care. Wyoming presented its list of intended "new research" studies early in the SEIS process as requested by NPS. Not once did NPS ever inquire about the "study design" or input requirements for the "Determination of Snowcoach Emissions Factor" or any other of the six new studies submitted by Wyoming. Had they bothered to ask or demonstrate they cared about what Wyoming was doing, NPS would have been afforded an opportunity for input. They did not, so Wyoming proceeded on our own in order to meet the tight deadlines that were presented.

In the case of SwRI, they were chosen because they are recognized as one of the foremost emission testing facilities in the world. Furthermore, they had done *all* of the snowmobile emission testing to-date for both NPS and for the snowmobile manufacturers, so we believed that would bring credibility and experience to the table. The design for this emissions study, to a great extent, was left to SwRI since they were the experts and had been through the exercise for the snowmobile side of the debate. We therefore believed they had a proper handle on the critical questions.

One major issue in designing this study is that SwRI did not have a dynamometer capable of testing a tracked vehicle or a 4-wheel drive vehicle. They also were not able to locate one that was available during the short time in which the study needed to be completed. Therefore, the Bombardier (tracked-only vehicle) and the Mattrack type van conversion (4-wheel drive) vehicles could not be tested. This necessitated using a 2-wheel drive van for the SwRI study. Additionally, due to dynamometer limitations, they were not able to achieve the exact in-field vehicle simulation that was desired (the capabilities of the dyno maxed out before they could reach the maximum vehicle loading which was desired to reach peak in-field simulation).

While we agree additional testing configurations are desirable, it must be recognized there are many hurdles that will be difficult to clear to accomplish this. In the meantime, the bottom-line is that SwRI is a highly professional firm that has given us their best effort, given time and equipment constraints. Their report clearly represents the best available information regarding potential emissions from snowcoaches, so until NPS and EPA step forward with a better snowcoach study, they need to quit relying upon inaccurate LDGT data and properly utilize this new data to analyze emission impacts for the final SEIS.

Please see additional comments regarding proper use of the SwRI study in our specific page-by-page comments for Chapter IV.

Based upon the SwRI report, the following conclusions can be made regarding snowcoach emissions:

- **Snowcoach emissions are nearly 6 times higher than CO emissions from the new generation snowmobiles.** The SwRI emissions testing of a snowcoach measured carbon monoxide (CO) at 99.2 grams/mile (g/m) when operated under full load. By comparison, a new Arctic Cat 4-Stroke snowmobile operated under full load measures 17.29 g/m of CO.
- **It's a myth that snowcoaches would improve air quality because they carry more passengers.** Snowcoaches currently average 6 riders per coach while snowmobiles currently average 1.2 riders per sled. A total of 5 new generation snowmobiles would provide the same visitor transportation as one coach, but would have total CO emissions of 86.45 g/m compared to the one snowcoach with emissions of 99.2 g/m.
- **The Yellowstone/Grand Teton Winter Use Final EIS and the Supplemental EIS understates CO emissions from snowcoaches by a factor of nearly 50%.** NPS improperly used emissions factors for light trucks to calculate potential air quality impacts from snowcoaches. A light truck emits 67.52 g/m of CO while a snowcoach emits 99.2 g/m.

Concern About Improper Air Quality Modeling in the DSEIS

Wyoming is concerned that the DSEIS improperly states that the worst-case modeled air quality impacts "threaten" or "exceed" ambient air quality standards. The modeled air quality impacts presented in the DSEIS are based on a worst-case analysis and should not be construed to predict actual violations of ambient air quality standards with any certainty.

Despite repeated requests, the Wyoming Department of Environmental Quality – Air Quality Division has never been provided a copy of the National Park Service consultants' draft air

quality analysis report referenced in the DSEIS as "EA 2001". As a result, it is difficult for Wyoming to fulfill its role as a cooperating agency at this point in the EIS process. While Wyoming has "special expertise" in the area of air quality, it has been wholesale ignored by NPS for the FEIS and SEIS processes.

The State of Wyoming initiated reference method monitoring for carbon monoxide (CO) at Flagg Ranch in November of 2001 to collect data that is more representative of conditions within the interior of the three parks than that collected at the West Entrance. Wyoming will provide NPS with this reference method monitored CO data from the Flagg Ranch site for the 2001-2002-winter use period as soon as it becomes available. This new information should be used to correct air quality modeling data used to produce the final SEIS.

Chapter IV of the DSEIS states that EPA has recommended that NPS conduct a prevention of significant deterioration (PSD) increment consumption analysis and visibility impact analysis for the FSEIS. The Wyoming Air Quality Division objects to NPS preparing a regulatory PSD increment consumption analysis under NEPA for the FSEIS as stated in Chapter IV. Instead, the Air Quality Division urges NPS to rely on the monitored (actual) visibility data collected within Yellowstone National Park instead of predicting visibility impacts with a model for the FSEIS.

Supplemental Over-Snow Vehicle Sound Measurements

On February 6, 2002, Jackson Hole Scientific Investigations (JHSI) conducted Supplemental Over-Snow Vehicle Sound Measurements under contract for the State of Wyoming. This supplemental sound testing was conducted in conjunction with supplemental sound testing by NPS contractors and was due in part to NPS technical disagreement with JHSI sound measurements that had been performed on grass in September 2001. A complete report is attached in Appendix 1. A summary of results is also shown in Table 2.

Sound levels for a total of five snowcoaches, 6 four-stroke snowmobiles, 5 two-stroke snowmobiles and one groomer were measured during this supplemental testing which was conducted on the main road at the south entrance to YNP. Measurements from over 230 total pass-bys were recorded during this test with the following results:

Snowcoaches

- The quietest coach in all categories was the 2-track conversion van: 69.5 dBA at 30 mph, 65.4 dBA at 20 mph, and 42.3 dBA at idle
- The second quietest coach overall was the Bombardier with low exhaust: 73.0 dBA at 30 mph, 68.6 dBA at 20 mph, and 44.2 dBA at idle
- The loudest coach at 30 mph was the Bombardier with high exhaust: 78.4 dBA
  The Mattrack conversion van (4-track) was a close second at 78.3 dBA
- The loudest coach at 20 mph and at idle was the diesel Mattrack (4-track conversion van): 74.5 dBA at 20 mph and 55.2 dBA at idle
- The overall loudest coach was the gasoline Mattrack conversion van, followed closely by the Bombardier high exhaust and the diesel Mattrack.

- The gasoline Mattrack was 8.8 dBA (5.8 times) louder and the diesel Mattrack was 6.1 dBA (4.1 times) louder than the 2-track conversion van.

Snowmobiles

- The quietest overall snowmobile was the Arctic Cat 4-Stroke: 71.6 dBA at full throttle, 72.3 dBA at 45 mph, and 42.1 dBA at idle
- The second quietest snowmobile was the Polaris Frontier 4-stroke: 74.0 dBA at full throttle, 72.6 dBA at 45 mph, and 51.4 at idle
- At full throttle, the 2-stroke sleds were 3.5 to 9.2 dBA (2.3 to 6.1 times) louder than the 4-stroke models: 77.5 to 79.7 dBA
- At 45 mph, the 2-stroke sleds were 1.0 to 4.5 dBA (0.6 to 3 times) louder than the 4-stroke models: 73.6 to 76.8 dBA
- At 35 mph, the 2-stroke sleds were 0.8 to 4.0 dBA (0.5 to 2.6 times) louder than the 4-stroke models: 72.8 to 75.2 dBA
- At 20 mph, the 2-stroke sleds were 3.0 to 6.1 dBA (2 to 4 times) louder than the 4-stroke models: 77.5 to 79.7 dBA
- At idle, the 2-stroke sleds were 1.6 to 16.1 dBA (1.1 to 10.7 times) louder than the 4-stroke models: 53.0 to 58.2 dBA
- A modified 2-stroke snowmobile idled 28.1 dBA (18.7 times) louder than the quietest 4-stroke and 12.0 dBA (8 times) louder than the loudest stock 2-stroke. At full throttle, this modified sled was 14.4 dBA (9.6 times) louder than the quietest 4-stroke

Overall Conclusions from Supplemental Sound Measurements

- Page 222 of the draft SEIS states that "For snowcoaches, only the 4-track conversion van vehicles were modeled in alternative 3, because they are the quietest available technology, with a sound level of 70 dBA at 50 ft., as compared with 75 dBA for the Bombardier." This testing confirms that this is an incorrect assumption that has led to a flawed impacts analysis for the DSEIS. Test results show that 4-track vans produced a sound level of 75.6 dBA (diesel) and 78.3 dBA (gas). The Bombardier type snowcoach produced a sound level of 78.4 dBA (high exhaust) and 73.0 dBA (low exhaust).
- A vehicle last produced in 1962, the Bombardier, was substantially quieter than the NPS acclaimed "best available technology", the Mattrack/4-track conversion van.
- Alternatives 1a, 1b, and 3 would only "allow mass transit snowcoaches only when their sound levels are at 75 decibels as measured on the A-weighted scale at 50 feet at full throttle." Only the 2-track van conversion and the Bombardier with low exhaust would meet this standard. Both types of Mattracks and the Bombardier with high exhaust would not meet the standard and, therefore, could not be allowed in the parks.
- The Arctic Cat 4-Stroke snowmobile operated at full throttle was 5.1 to 7.8 decibels quieter (which equals 3.4 to 5.2 times quieter) than both Mattrack van conversions operated at full throttle.
- The Arctic Cat 4-Stroke snowmobile, when operated at all speeds, was quieter than every snowcoach except the 2-track conversion van, which was only slightly quieter than the 4-stroke.

Table 2: Summary Of: SUPPLEMENTAL VEHICLE SOUND MEASUREMENTS
Conducted by: Jackson Hole Scientific Investigations for the Yellowstone/Grand Teton Winter Use Supplemental EIS
Date: February 6, 2002 Location: Yellowstone National Park – South Gate Background Sound Level: 35-40 dBA

Note: 1) Sound levels are logarithmic: + 3 decibels = 2x sound level, - 3 decibels = ½ sound level
2) Maximum attainable snowcoach and van conversion speed was 30 mph
3) All sound levels are displayed as decibels [dB(A)] as measured in accordance with SAE Standard J-1161 and J-192 at a 50-foot pass-by

Vehicle Type & Information	20 mph Sound Level	30 mph Sound Level	35 mph Sound Level	45 mph Sound Level	Full Acceleration Sound Level	Idle Sound Level
Bombardier Snowcoach / 350 Chevy gasoline engine, dual high exhaust; average of 2 passes each direction	71.8	78.4	---	---	---	50.3
Bombardier Snowcoach / 318 Chrysler gasoline engine, dual low exhaust; average of 2 passes each direction	68.6	73.0	---	---	---	44.2
4-track (Mat-Track) Van Conversion - 1998 Chevy, 15-passenger, diesel engine; average of 2 passes each direction	74.5	75.6	---	---	---	55.2
4-track (Mat-Track) Van Conversion - 1996 Ford, 15-passenger van, gas engine; average of 2 passes each direction	72.1	78.3	---	---	---	44.1
2- track Van Conversion – 1999 Ford, 15-passenger van, gas engine; average of 2 passes each direction	65.4	69.5	---	---	---	42.3
Groomer - Bombardier BR280; average of 1 pass each direction at 17 mph	74.0	---	---	---	---	---
4-Stroke Snowmobile - 2002 Arctic Cat 4-Stroke; average of 3 sleds and 2 passes each direction	65.8	---	72.0	72.3	71.6	42.1
4-Stroke Snowmobile - 2002 Polaris Frontier; average of 3 sleds and 2 passes each direction	65.6	---	71.2	72.6	74.0	51.4
2-Stroke Snowmobile - 2001 Polaris Sport Touring 550 (the "control sled" used in previous sound testing by JHSI) *	71.5	---	75.2	76.5	79.7	53.0
2-Stroke Snowmobile – 2000 Yamaha Mountain Max 600 *	68.8	---	72.9	73.6	78.8	55.1
2-Stroke Snowmobile – 2001 Polaris Wide Track 500 *	71.7	---	74.6	76.8	77.5	58.2
2-Stroke Snowmobile – 2002 Polaris RMK 800 *	---	---	72.8	74.3	---	---
2-Stroke Snowmobile – 2001 Polaris RMK 800 / SLP pipe *	75.1	---	77.8	79.7	84.9	70.2

* All 2-Stroke Snowmobile sound level measurements are the average of 2 passes each direction from 1 sled, except for the stock 800 RMK that was an average of 1 pass each direction.

Mattrack Damage to Snow Roads

Wyoming staff spent a total of 14 days in the parks between January 3 and February 20, 2002. A recurring observation was that the Mattrack conversion vans were cutting trenches and damaging the surface of the packed snow roads/trails. Rutting of the trail would be clearly visible when following a 4-track van, oftentimes 3" to 6" deep from a single pass, which caused visible safety problems for other coach and snowmobile drivers. Frequently, the vehicle's tracks would also deposit piles of snow that would build up on the tracks and then drop off causing bumps on top of the trail surface or in the ruts at frequent intervals. This trail damage was never observed while following other types of snowcoaches or snowmobiles on packed trails.

During the February 6, 2002, sound testing at the Yellowstone South Entrance, the 4-track conversion vans cut 18" wide and 12" to 18" deep ruts into the groomed snow road after only 7 passes. Comparatively, after nearly 400 passes by snowmobiles (the snowmobiles used for the sound testing, as well as the public and outfitter traffic to and from Flagg Ranch that morning) and over 30 passes by other types of snowcoaches (the coaches used for the sound testing, as well as several Bombardier type outfitter coaches which passed by the sound test area that morning), there was no similar impact visible on the snow road.

Photos 1 through 3 show some of the ruts created by the Mattracks during the sound test:

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Photo 1: Mattrack Van on Sound Test Track – Note the Road Damage

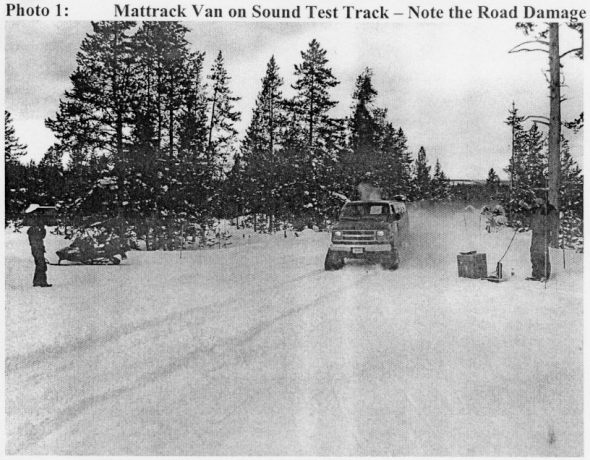

Photo 2: Damage to Snow Road from Mattrack Van after 5 passes
- Also Note Piles of Snow Deposited by Tracks within the Ruts

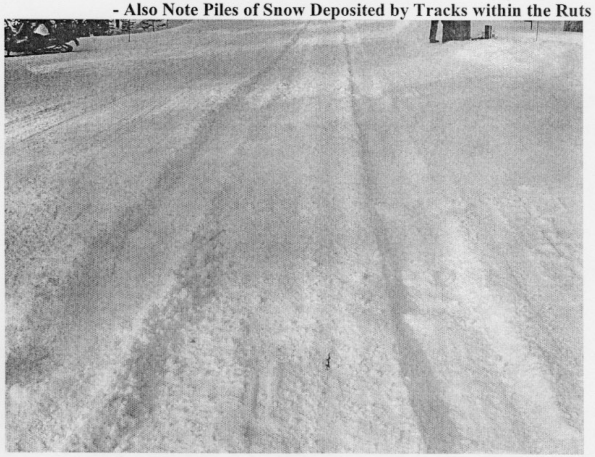

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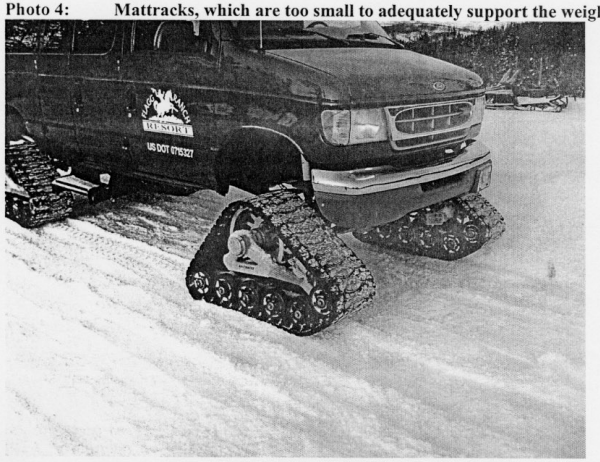
Photo 3: Ruts made by Mattrack create a hazard for other drivers

The 4-track conversion vans being promoted by the Park Service as the "current best available technology" are actually extremely damaging to groomed snow roads. This situation is caused by too small of a tracked footprint (see Photo 4) to provide flotation on the snow to carry the heavy weight of the vans. A longer and wider track would significantly decrease the pounds per square inch (psi) displaced for the vehicle, but this in turn would require more horsepower (more emissions) and put additional stress on an already over-stressed drive train.

Photo 4: Mattracks, which are too small to adequately support the weight of van

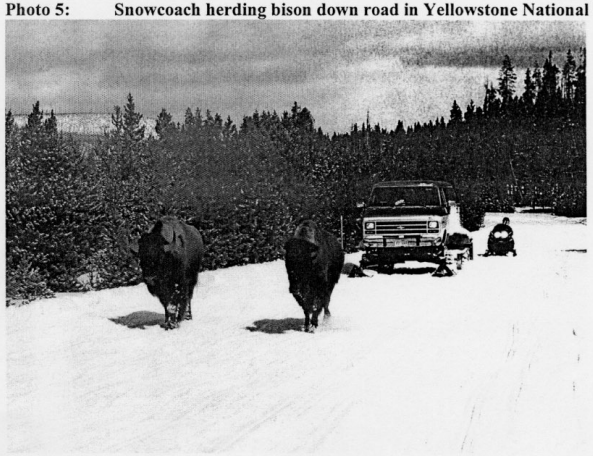


Snowcoaches Herd Bison Too

Wyoming staff spent a total of 14 days in the parks between January 3 and February 20, 2002. A recurring observation was that snowcoach drivers were just as guilty of "herding" bison down the roads as snowmobile drivers have been accused of. The recurring observation was that this situation is often caused by driver impatience, generally due to a lack of education on what to do when encountering bison on the road. A predominate experience with snowcoach drivers was that they were even more impatient than the snowmobilers.

Wyoming staff visited with several coach drivers we observed driving around groups of snowmobiles that had stopped behind bison traveling on the roadway. Many times, we observed coach drivers who passed a stopped snowmobile group; fell in behind the bison with their coach, which then caused the bison to start running down the road. When we stopped the coach drivers to see why they didn't wait for the bison to clear, they always replied, "We're *trained* to deal with this, plus we have a schedule to keep and we can't sit around waiting for them to get off the road." This happened in narrow places like along the Firehole River canyon between Old Faithful and Madison and along the Gibbon River canyon between Madison and Norris. In every case, there was no place for the bison to go except down the road (it was: river-steep bank-road-rock wall) And in all cases there was on-coming snowmobile traffic, so the coach caused the bison to run versus walk toward the stopped groups. There is no doubt in our minds that these somewhat arrogant coach drivers *caused* a situation which was potentially more dangerous than if they would have had the patience to wait like the other groups were doing. Our primary conclusion is that *all users*, snowmobilers and snowcoach drivers alike, need better education on what to do when encountering bison on the roads.

Photo 5: Snowcoach herding bison down road in Yellowstone National Park



Section 4: Specific Page-by-Page Comments Regarding the SEIS

Page xiii, Table S-1: Under Alternative 2 / Emissions, the reference to [proposed 2010 EPA emission rule] should have been deleted.

Page 6 or elsewhere in Chapter I: The FSEIS should cite the authority by which the NPS could implement vehicle emissions standards for snowmobiles and snowcoaches that would be more stringent than EPA's standard.

Page 20, Mitigation – Air Quality: It is stated that, "Park concessions will be required to mitigate the impacts of air pollution during the interim period by selling only bio-fuels and synthetic lubes inside the park." It is unclear what the "interim period" is and when it will start. And, more importantly, we are wondering *why* this has not already been implemented since we have been talking about the real and immediate benefits of using bio-fuels and synthetic lubes for over 4 years?

During the 2001-2002 winter season one could not purchase a bottle of synthetic lube within Yellowstone National Park. Many people (outfitters and public) have voluntarily switched over to using synthetic oil in their snowmobiles due to the public discussion regarding the benefits, particularly while in the parks. It was very disconcerting to find they were not able to buy it in YNP when they needed it. Not a single gas station within YNP offered it for sale as an option for their customers. The result is that visitors were forced to put non-synthetic, and more polluting, oil back into their snowmobile. Or, if they learned the hard way that it was not available, they were forced to pack-in their own oil supply on their next trip. In contrast to YNP, the concessionaire at Flagg Ranch has, voluntarily for the past two seasons, sold *nothing but* synthetic oil to their customers (you couldn't buy non-synthetic oil if you wanted to). The gateway communities and concessions have been pro-active on this mitigation measure while NPS has set on their thumbs. This sends a very loud message that YNP and their concessionaires are not serious about offering immediate solutions when they are available.

Page 39, third bullet: It is stated that, "Currently the mass transit oversnow vehicle that produces the lowest emissions is the conversion van mat track." We have scoured the FEIS and DSEIS and fail to find *any* substantiation of this statement with a study, report or documentation of any kind. The footnote at the bottom of the page refers only to "estimates of emissions", so it is clearly apparent this statement is based solely upon a NPS assumption, which we believe to be false.

In accordance with our previous comments in Section 3 regarding snowcoaches, we believe NPS has mistakenly anointed the Mattrack conversion van as the "current best available technology", including this erroneous statement that they have the lowest emissions.

From our involvement with several studies, we know the Mattrack vans operate under a tremendous amount of stress. Given the "too small of footprint" these vans have, we know they labor excessively to move about the park roadways. We know they produce higher sound levels, most likely because they are working harder than the 2-tracks and Bombardiers. We know they cut deep trenches into the roadways, which results in much increased friction and a resultant

need for more power to propel the vehicle. We also know, from conversations with coach operators and personal observations, that these vehicles experience an extremely high degree of wear and tear on vehicle transmissions and drive lines, as well as having the vehicle frames break and twist from the additional stress and torque applied when used as a tracked vehicle. All of this points to an extreme operational mode that, in turn, equates to greatly increased emissions. It would be our observation that the 2-track conversion van and the Bombardier coach as likely to have much lower emissions than the 4-track vans since they labor less to do their work. The evidence points to the fact that this is a false assumption that NPS must revisit.

Page 43, Table 3 and Page 44, Table 4: The interim daily cap of 90 snowmobiles per day for the South Entrance is without basis. The proposal is to reduce snowmobile entries from the West and South entrance to 50% of historic daily average, while leaving all other entrances at the historic daily average without a 50% reduction.

The FEIS and DSEIS do not sufficiently document impacts from snowmobile entries through the South gate to justify this reduction. The alleged impairment of park resources and values relates more closely to snowmobile entries through the West gate. In respect to the South entrance, there is no documentation of impacts to air quality and natural soundscape, and there is certainly no wintering wildlife until you reach far into the YNP interior. Additionally, the majority of snowmobile entries are accompanied by outfitter guides versus the high number of unguided rental sleds that enter from the West gate, so potential impacts to visitor experience is far from being similar. It is simply unfair to treat the South Entrance visitors the same as those from the West, simply because it is the second highest number of YNP park snowmobile entries, but for no other apparent reason.

Under these alternatives, the interim daily cap for the South Entrance should be raised to the historic daily average of 180 snowmobiles.

Page 44, third bullet: Why is NPS proposing to limit snowcoach visitors to 93,500? First, fewer than 100,000 winter visitors pales in comparison to the millions of summer visitors. Second, we find no data in the FEIS or DSEIS that substantiates a position that there are too many winter visitors. Rather, the only question is that some feel there are too many snowmobiles in the parks. We support a proper process to determine visitor capacity, but in the interim, there is no apparent justification for limiting access by the American public.

Pages 44-51, Alternative 2: Please make the requested changes to Alternative 2 as outlined in Section 2 of these comments.

Page 55, first bullet: It states that cleaner and quieter snowmobile technologies would be required, based upon "current best available technology" (BAT). There is no clear definition of what BAT is or will be in the future. Also, it is highly likely that a snowmobile with the lowest emissions may not have the lowest sound level. In this case, which snowmobiles are allowed into the parks? BAT will also be a moving target from year to year. Does this mean that a snowmobile outfitter, for instance, would have to change sleds models every year to meet BAT?

Under this scenario, there is no guarantee that BAT five years from now will be cleaner or quieter than today. In fact, it could be dirtier and louder. Case in point is the 2002 model year Arctic Cat 4-Stroke, the snowmobile used by NPS at BAT to model impacts for the DSEIS. Next year, the 2003 model Arctic Cat 4-Stroke will feature an additional 10 horsepower in its engine. So, in all likelihood, this new model will not meet the same BAT level as what the 2002 model had.

Another concern about the nebulousness of BAT is that it is solely dependant upon free market enterprise. While all four of the current snowmobile manufacturers have introduced either production model or concept model 4-stroke machines, there is no guarantee the "cleanest and quietest" models will be accepted in the marketplace. If the marketplace collapses for these vehicles, then it would seem that the NPS approach to BAT also collapses. By contrast, if the "cleaner-quieter" standard is tied to the EPA emissions rule rather than BAT, then there is a guarantee that the standard will be met, unless the entire snowmobile industry collapses because the entire marketplace doesn't accept machines produced by the EPA rule.

In light of the recent federal appeals court ruling [Cite: American Corn Growers Association v. Environmental Protection Agency, et al., No. 99-1348 May 24, 2002 (D.C. Cir.)] that a similar EPA rule requiring "best available technology" is unlawful because it undermined states' ability to decide how to best address the situation, serious questions are raised about whether the Park Service can legally require "best available technology" for snowmobiles. In this situation, it seems to be clear that EPA would have the authority to regulate snowmobile emissions, while NPS probably does not.

Page 55, footnote 20: The footnote states that, "Data indicates that use over about 300 snowmobiles causes deterioration of the snow surface on some days." What data? To the best of our knowledge, there has been no study completed to substantiate this statement and there is absolutely no quantifiable "data" presented in the FEIS or DSEIS that substantiates this statement. Rather, it is a contrived effort to try to justify "about 300" (the 330 per day interim level recommended for the West Entrance) snowmobiles per day as the ideal number to have a quality groomed snow surface. The Alger study referenced on pages 139-140 is the only mogul study that exists, and it certainly does not substantiate the "300" figure.

Page 56, second bullet: According to the JHSI Supplemental Sound Testing conducted at the YNP South Entrance on 2/6/02, only the 2-track conversion van and the Bombardier with low exhaust would be allowed to be used in the parks since all other snowcoaches exceeded the 75 decibel sound level. It should be noted that both models of the Mattrack (the NPS "current best available technology" (BAT) for Alternative 3) failed to meet the standard. Additionally, only the 2-track conversion van met the proposed future standard of 70 decibels.

Conspicuously missing from this alternative is any snowcoach emissions standard. There isn't even at statement requiring BAT. Why isn't this deemed to be important? The alternative, as well as alternatives 1a and 1b, encourage wholesale expansion of snowcoach fleets, yet there is apparently a false assumption made that snowcoaches have no emission problems associated with their use. In our comments elsewhere in this document, we believe it has been well documented that in fact there are serious problems with the emissions from a snowcoach. An

appropriate standard should be developed and analyzed to ensure that just any polluting contraption cannot be brought into the parks as a "snowcoach".

Page 56, Actions for YNP, fifth bullet: "Early season travel..." Please define "early season". When would it begin?

Page 57, second bullet: It states, "During the winter of 2003-2004, if at least 600 snowcoach seats are not available for visitors parkwide, YNP would allow up to 220 more snowmobiles to enter through the West Entrance each day (the daily ceiling would not exceed 550 snowmobiles through the West Entrance for that winter season) so that historic average use levels are maintained." This does not appear to provide anything meaningful since the first paragraph on page 134 states, "For the 2001-02 season, 13 outfitters operate snowcoaches in YNP. Combined, they operate 61 snowcoaches with a total of 671 seats." The "600 seat" threshold has already been exceeded so there appears to be no real or good faith intent by YNP to increase daily ceilings at West to maintain historic average use levels.

This is clearly, and appropriately, intended to provide a safety valve for the community of West Yellowstone, so they have an opportunity to try to sustain their overall visitor count in the event snowmobile entries are drastically reduced. It would seem that a more appropriate approach would be to frame this mitigating action in the context of an appropriate number of snowcoach seats in West Yellowstone, versus parkwide. It is unclear from the DSEIS exactly how many coach seats presently are available in West Yellowstone, but that number, plus up to 220, should be the continuum upon which this mitigation is measured.

Another question is, why is this proposed mitigation only for the 2003-2004 season? Shouldn't it remain in effect until snowcoach visitation actually fills the void or until a long-term visitor capacity study is completed?

Page 86, Proposed EPA Rule: It is inaccurate to state, "Outcome of rulemaking process is distant and uncertain." Like the FEIS and the SEIS, the EPA rulemaking process for non-road engines is the product of a court settlement agreement. By such agreement, a final EPA rule *must* be published by September 2002.

Pages 93-95, Winter Recreation Sector: First, footnote #26 states that, "NPS submits these numbers significantly overstate potential impacts." We continue to vigorously disagree with this position. Second, the statement five lines up from the bottom of page 95 states that, "Statewide information contained in the Wyoming survey is somewhat beyond the scope, or is not directly comparable to the FEIS analysis." NPS fails to get the point: statewide information and impacts do matter and certainly *should be* part of the scope, and the only reason they are not directly comparable is because NPS *failed* to properly analyze this section of the FEIS and continues to abrogate its responsibility in the DSEIS.

In our on-going debate with NPS over this subject, NPS stated in their response to our DSEIS internal review comments (WY comment 21, page 4 of response and comment 24, page 5 of response) that, "The Wyoming survey results and FEIS results are not measuring the same economic impact" and "The result of $36.8 million loss per year in visitor expenditures was

purposely left out because it includes annual equipment expenditures as well as trip expenditures, thus overstating the impact." The fact that we're both *not* measuring the same impact is exactly our point and the fact NPS believes they can summarily dismiss part of our documented impacts is inherently wrong.

The Wyoming survey documents that equipment expenditures are part of the total picture. It further documents that, if snowmobiles are banned in the parks, a portion of overall equipment expenditures will disappear – vanish – no longer exist – be gone forever from the area economy. These are real economic losses that have been improperly ignored by NPS.

Over 50% of the projected $36.8 million loss per year in Wyoming is attributed to expenditures by snowmobile outfitters and their clients. This outfitter use will not transfer to national forest trails since the Forest Service already caps permitted-use-days in the region. Equipment expenditures are certainly a part of this projected loss to the economy because there will be no need or opportunity for outfitters to continue to purchase this equipment on an annual basis. The bottom line is that equipment expenditures are an important part of economic impacts from snowmobilers that must be included if NPS is to provide an accurate accounting of potential losses.

Page 102, Table 15: We thought any reference to the "EPA Blue Sky" standard was to be deleted from the DSEIS (the NPS stated response to WY internal draft comments: WY comment 17, page 3 of NPS response). We continue to feel this is inappropriate because, 1) Blue Sky is not defined in the DSEIS, and 2) EPA has indicated this proposal is very "iffy" and certainly subject to change.

Pages 104-105, Case Incident Reports - YNP: The narrative in this section and Table 16 are somewhat misleading. The title of the section, Case Incident Reports (CIRs) – YNP, leads the reader to believe there has been an "incident" within YNP. Yet footnote #31 indicates "agency assists" are, in fact, assistance provided to an agency outside the boundary of YNP. Therefore agency assists are irrelevant to the SEIS and should be removed which discounts 53 (12.5%) of the 425 listed CIRs.

The narrative and footnote #31 describes "visitor assists" as "events where a park visitor was provided assistance for gasoline sales, snowmobile repairs, or the presentation of a talk to a group of people." This hardly seems to fit Webster's definition of "incident": an action likely to lead to grave consequences. We would suggest that it is inappropriate to pad the numbers of "incidents" within YNP by including visitor assists in the tally (255, or 60%, of the 425 listed CIRs).

The narrative paragraph references, "During the five recreation seasons (1995-2001)…" We believe "five" is an error and the correct number for these statistics is "six" years: December through March 1995-96, 1996-97, 1997-98, 1998-99, 1999-2000, 2000-2001 - 6 years.

In respect to Snowmobile Use and CIR's, and removing the misrepresented 51 agency assists and 222 visitor assists, there were a total of 111 incidents, including 22 unspecified "miscellaneous" incidents. This equates to an average of 18.5 incidents per year involving

snowmobile use. Considering snowmobile use in YNP averaged a little over 80,300 visitors per year over this same time period, the "incident" rate per snowmobile visitor was 0.02%, or an average of 2 incidents per 1,000 snowmobile visitors. This perspective should be corrected and properly presented in the FSEIS.

To summarize comments regarding this section, the way NPS has mistakenly presented the 384 total snowmobile incidents alludes to a high incident rate for snowmobile users. First, the number is inflated and actually should be 111. Second, the fact is that the average of 2.0 incidents per 1,000 snowmobile visitors is actually extremely low.

Page 105, Emergency Medical Services Reports – YNP: While the number of people assisted for the activity of "Snowmobiling" (154 assisted, 62% of total) appears high, it should be put in the proper context. On page 104 it is noted that snowmobiles account for 62% of overall winter use. This context should also be added to the EMS report in the FSEIS to properly show that this one-to-one ratio is entirely consistent with the mix of winter use. The 154 total EMS assists for snowmobilers equates to an average of 25.6 per year and an annual EMS rate per snowmobile visitor of 0.03%. This is an average of 3 EMS assists per 1, 000 snowmobile visitors, which again is extremely low.

Page 106, Motor Vehicle Accidents – YNP: The 354 motor vehicle accidents over the six year period should also be put in the proper perspective for the FSEIS: the 230 (65%) accidents involving snowmobiles is actually an average of 38.3 per year, and the 65% of total is not really out of line given, again, that snowmobiles represent 62% of total use; likewise, the 104 (29%) accidents involving passenger vehicles is actually an average of 17.3 per year and in line with the fact that automobile visitors average 28% of the total. The annual vehicle accident rate per snowmobile visitor and winter auto visitor both average 0.047%, or 4.7 accidents per 1,000 visitors.

The last paragraph on this page indicates 75% of the snowmobiles involved in accidents were rental sleds, 14% were privately owned sleds, the US Government owned 7%, and 2% were owned by YNP concessionaires. Who owned the other 2%?

This set of statistics also raises some interesting questions:

1) Are the US Government and YNP concessionaire sleds included in the average YNP snowmobile visitation of 80,300? What is the number of entries or use days attributed to these two groups of sleds, whether or not they're included in the 80,300? Without knowing the total numbers, it would appear that agency and concession vehicle accidents are disproportionately high, which would indicate a deficiency in operational and safety training.

2) Given the statement that, "70% of all visitors use rented snowmobiles", and surmising that NPS and concession sleds are not (or should not be) included as real snowmobile visitors, then it would also be surmised that 30% of snowmobile visitors are on privately owned sleds. Given that privately owned sleds are involved in only 14% of all accidents, it would demonstrate that private operators are at least twice as safe as the operators of

rental sleds. This statistic flies in the face of the argument that snowmobilers must be accompanied by a guide to improve safety when, in fact, private operators are the safest operators in the park.

3) The fact that 75% of all snowmobiles involved in an accident were rental sleds (while only 70% of all visitors use a rental sled) would also seem to fly in the face of the argument that all snowmobilers must be accompanied by a guide (on a rental sled) to provide safer conditions for park visitors and park employees. While it is unclear from the DSEIS exactly how many rental sled accidents were guided versus unguided, it is likely a high percentage of the "snowmobile versus snowmobile" (32% of total) accidents were, in fact, a case where folks on a guided tour rear-ended one another.

Page 108, Citations – YNP: The number of citations should also be provided in a manner that puts the numbers in the proper context of use. The total of 1581 traffic citations for all visitors during the six-year period equates to an average of 263.5 per year. This is an annual citation rate per visitor of 0.020%, or 2.0 citations per 1,000 visitors.

In regard to the 1386 total citations issued to snowmobilers over the six-year period, it equates to an average of 231 citations per year and an annual citation rate per snowmobile visitor of 0.028%. The way NPS presented the 1386 total snowmobile citations alludes to a high citation rate for snowmobile users when, in fact, the pertinent number is that this is an average of 2.8 citations per 1,000 snowmobile visitors, which is extremely low.

Page 109, Case Incident Reports – GTNP and the Parkway: Please refer to our comments regarding "Page 104-105, Case Incident Reports – YNP". We repeat our position that agency assists and visitor assists are not appropriate for inclusion in Table 18 because they fail to meet the definition.

We also repeat our position that the narrative errors when referring to "five winter seasons…December through March 1995-2001" – by our count this is six seasons.

As with our previous comments for YNP, GTNP numbers also need to be put into proper perspective. For instance, the 90 total snowmobile incidents (excluding agency and visitor assists) equates to an average of 15 per year. The annual incident rate per GTNP/Parkway snowmobile visitor is 0.06%, or 6 incidents per 1,000 snowmobile visitors.

For wheeled-vehicle visitors, the 597 total incidents (excluding agency and visitor assists) equates to an average of 99.5 per winter season. Since total number of wheeled vehicle visitors is not disclosed in the DSEIS, it is uncertain what the incident rate per visitor for this category would be, but it should be included in the FSEIS.

Page 110, Emergency Medical Services Reports – GTNP: Again, the narrative errors when referring to "five winter seasons…December through March 1995-2001" – by our count this is six seasons.

The EMS numbers in Table 19 should also be put in the proper perspective: The 18 "not reported" seems to be a disproportionate number to not know who was assisted – why isn't there better data than this available? The 7 snowmobile related EMS reports equates to an average of 1.1 per year. This is an EMS rate for snowmobile visitors of 0.005%, or 0.5 EMS reports per 1,000 snowmobile visitors.

Pages 110-111, Motor Vehicle Accidents – GTNP and the Parkway: Again, the narrative errors when referring to "five winter seasons…December through March 1995-2001" – by our count this is six seasons.

Total, wheeled-vehicle and snowmobile MVAs should be put in the proper context for the FSEIS: Total MVAs average 13 per winter season, wheeled-vehicle MVAs average 11.5 per winter season, and snowmobile MVAs average 1.5 per season. Since total number of wheeled vehicle visitors is not disclosed in the DSEIS, it is uncertain what the MVA rate per wheeled-vehicle visitor would be, but it should be included in the FSEIS. The MVA rate for snowmobile visitors is 0.006%, or 0.6 MVAs per 1,000 snowmobile visitors.

The statement under "Injuries" in this section that, "Visitors have expressed concern to park staff about safety on the Continental Divide Snowmobile Trail (CDST) in GTNP" is totally unsubstantiated. The data presented by NPS in regards to incident reports, EMS reports, and MVAs does not offer any proof that there is a legitimate "safety concern" along this trail corridor. In fact, statistics for the two most important indicators, EMS reports and MVAs, show that the snowmobile EMS rate is five times lower for GTNP than for YNP (0.005% versus 0.03%) and that the snowmobile MVA rate is 6.8 times lower for GTNP than for YNP (0.006% versus 0.047%). It is time for NPS to quit making false accusations that the CDST route is not safe.

Page 112, Citations – GTNP and the Parkway: Again, the narrative errors when referring to "five winter seasons…December through March 1995-2001" – by our count this is six seasons.

Statistics for total, wheeled-vehicle and snowmobile related citations should be put in the proper context for the FSEIS: Total citations average 49.8 per winter season, wheeled-vehicle related citations average 38.3 per winter season, and snowmobile related citations average 11.5 per season. Since total number of wheeled vehicle visitors is not disclosed in the DSEIS, it is uncertain what the citation rate per wheeled-vehicle visitor would be, but it should be included in the FSEIS. The citation rate for snowmobile visitors is 0.048%, or 4.8 citations per 1,000 snowmobile visitors.

Page 112, Employee Health and Safety: The first paragraph notes reports from "commercial guides (Carsley, pers. Comm., 2001)". If the goal was fact-finding regarding the health and safety of commercial guides, why wasn't a broader cross-section than just Mr. Carsley surveyed? Mr. Carsley only operates commercial snowcoach tours and does not provide snowmobile guide service. Therefore, his perspective is not likely balanced, which is substantiated by the fact he has spoken publicly against snowmobiles. Since there are many companies that do provide both snowcoach and snowmobile guide service, it would seem NPS should contact them to gain better input regarding the broad perspective.

Page 113, Sound Emissions: It states that, "a West District patrol ranger was overexposed to noise at a level of 93 decibels while conducting normal snowmobile patrol operations." How and where was this documented? The statement is highly suspect since SAE standard J-192 requires that sound tests be conducted at a distance of 50 feet and at full acceleration. Testing protocol also sets stringent guidelines in regard to surface cover, background and background noise. In essence, this test is very difficult to perform in a field setting and something that is not done "while conducting normal snowmobile patrol operations". You cannot simply stop along the roadway and take a sound measurement. Rather, one must set up a stationary test station according to SAE protocol. Also, the test procedure requires "full acceleration" which would require the snowmobile to be going faster than the posted speed limit.

The "93 decibels" reading is further suspect when compared to results of the JHSI Supplemental Sound Measurements conducted at the YNP south entrance 2/6/02. A modified Polaris 800cc RMK snowmobile, which is about as big and loud as they get, was included in this testing exercise. Following required SAE protocol, this vehicle measured 84.9 decibels, which is more than 8 decibels lower than the stated overexposure of "93" decibels. Given that a 3-decibel change produces double the sound energy, we believe this is a serious error and a misstatement of fact.

Page 114, last paragraph: It states that, "park staff is being exposed to very significant avalanche hazards to keep a segment of road open that serves only 3% of Yellowstone's winter visitation." We take issue with two things in respect to this statement. First, this road segment leading from the east entrance provides access for 5% of all YNP snowmobile visitors and 4% of all YNP over-snow visitors, not 3%.

Second, the number of entries is kept artificially low because of the avalanche conditions along this roadway. It's like the chicken and egg discussion and what comes first. The road is frequently closed by NPS to "perform avalanche control work". There are some who would suggest that visitation at the east gate is artificially low because of delays by NPS in their avalanche control work on Sylvan Pass. There must be good and timely avalanche control before the east gate can show higher visitation numbers. Also, until consistent, well-managed avalanche control efforts are in place in this area, snowcoach visitation levels will remain at or very near zero because the road is nearly impassable for them.

Page 115, Other Snowmobiler's Behavior: It should be noted that the 1997 survey which references "75% of visitors feel unsafe travel behavior of others is important, and 31% said that it detracted from their experience" does not take into account the pilot program management actions that were initiated during the 2001-2002 season by NPS. It is our observation that these management actions, like lowering the speed limit to 35 mph in portions of YNP and adding more presence by NPS rangers, should have greatly reduced this discomfort level by other visitors.

Page 116, last paragraph and Page 117, first paragraph: First, what part of the park were the "nine rangers" who provided written accounts stationed in? And, "nine" out of how many total winter rangers chose to comment?

As we have previously commented in Section 1, a recurring observation is that snowcoach drivers are just as guilty of "herding" bison down the roads as snowmobile drivers have been accused of. Throughout the discussion in these two paragraphs, anytime it states "snowmobiles" it would also be proper to insert "and snowcoaches". Our recurring observation has been that this situation is often caused by driver impatience, generally due to a lack of education on what to do when encountering bison on the road. However, our predominate experience with snowcoach drivers was that they were even more impatient than the snowmobilers because they felt they were the "experts" when, in fact, they actually created greater hazards than the visitors we viewed on snowmobiles.

Pages 117-122 and Table 20: Wyoming continues to object to the inclusion of the referenced "survey" in the text and Table 20. It is inappropriate and also violates NEPA and CEQ standards since it is based purely on anecdotal versus scientific data that lends itself to personal bias.

The sample size is way too small to be credible and, given that only 20 of 60 employees who were asked to participate actually did (one-third), it would indicate there is a lack of consensus on the part of YNP staff that there were really any issues to report. In fact, one could surmise from the lack of participation by two-thirds of the employees that there is a general belief that there are no disturbances or conflicts.

The survey is fraught with potential for bias and prejudice, and is wholly unsubstantiated. Equally problematic is the subsequent misuse of the survey and table to assess impacts to wildlife on pages 209-218 and also in Table 76 on page 211 of the DSEIS. The table and accompanying discussion on pages 117 to 120, and any reference elsewhere in the document to the information contained in the survey should be deleted, as they cannot withstand even minimal scrutiny under applicable NEPA and CEQ standards.

Under CEQ regulations, NPS is duty-bound to ensure that information collected during the NEPA or EIS process is "accurate scientific analysis" and "expert agency comments". (40 C.F.R. 1500.1) Further, 40 C.F.R. 1502.8 mandates that EIS's must "be based upon the analysis and supporting data from the natural and social sciences and the environmental design arts." In addition, to the extent an appendix is used, information in the appendix shall "normally consist of material which substantiates any analysis fundamental to the impact statement" and "normally be analytic and relevant to the decision made."

The survey reported on pages 117-122 falls short in all of these respects. It is not scientific, it provides no supporting data and it is completely non-analytic. In fact, the document openly admits the unreliability of the survey due to its small sample size and anecdotal content. It appears that the survey information was included and used impermissibly for the purpose of "justifying decisions already made." (40 C.F.R. 1502.2 (g)) The argument that the survey responses represent the "best available information on situations commonly encountered along park roads" is misleading in the context of addressing wildlife impacts. NPS's conclusions that individual "disturbance" or "harassment" of wildlife is occurring, which are based on this survey, flies in the face of the numerous scientific and analytical studies cited in the DSEIS and elsewhere that demonstrate that any such impacts are negligible.

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The NPS use of the flawed survey at pages 209-218 to supplant the contrary conclusions in the scientific record is not permissible within the bounds of NEPA or the CEQ regulations. Accordingly the references to this flawed survey should be removed from the document.

Pages 121-122, Table 20: Old Faithful to West Thumb – the survey reports an overall frequency of conflicts as "> 5 per day". Where is the wildlife *at* on this road segment? We polled our own employees and also Jackson based outfitters, many who have traveled this road segment for over 20 years. *ALL* replied that there are no bison (while not directly stated, bison appear to be the focus of the NPS survey) on this road segment until you reach the Old Faithful area itself. This seems to point out another major flaw with NPS survey: Old Faithful should have been treated as an area by itself rather than lumped solely with road segments. It is improper to characterize this road segment as a "high" conflict area, and the #3 conflict area overall, when there isn't any wildlife to speak of wintering along any of it.

West Thumb to Flagg – Again, where *is* the wildlife along this road segment? Other than a few elk that winter across the river from the YNP south entrance, it is rare to see wildlife along this segment. An average frequency of 1-2 per month is severely stretching the real situation. An average of 1-2 groups of bison walking down the road per year would be more likely.

Page 124, Winter Bison Monitoring – 2002 Annual Report: This is a good report that concludes "bison use of groomed roads comprises a relatively small portion of their time in the winter." It is unfortunate the DSEIS authors felt a need to downplay the significance of this report by adding the statement, "Despite the relative ease with which bison may travel on groomed roads, the added stress upon bison from close proximity to snowmobiles, snowcoaches and winter park visitors may offset any energy gains that contribute to winter survival." There is no basis for this statement that is purely speculative on the part of the authors. To further state that the report did not contribute information useful to the analysis is an injustice. What the report says, which is very pertinent to the analysis, is that bison don't really spend a lot of time on the roads. This *is* significant because, if they aren't really on the roads very much, then how can there *really* be all the visitor conflict with them that has been falsely portrayed by NPS?

Page 126, third paragraph: It is stated "harassment and displacement of *individuals* is evident and remains a stated concern." Where is the NPS mandate to manage *individual* members of the wildlife population? If this were really true, how could NPS allow fishing, which certainly could be viewed as harassing to individuals of the fish population versus the population as a whole? Or, to the individual elk and bison in GTNP where hunting seasons are authorized. And there is also the well-documented situation where backcountry skiers and snowshoers cause stress and disturbance to the *individual* animals they encounter. Elevating the issue of harassment and disturbance to the *individual* level seems like it would be a dangerous, slippery slope NPS should not embark upon unless their intent is to put all the parks under glass with zero visitor access.

Page 127, first paragraph: It is stated, "every visitor who so desires should have the opportunity to enjoy natural soundscapes and to hear the sounds of nature without impairment." While we agree with the statement in general, we do not agree that this expectation should be for "every second upon every inch of NPS soil."

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We have discussed before that there are, in essence, two "parks" within YNP. The first "park" is the approximately180 miles of roadway open to over-snow vehicles in the winter. The second "park" is the millions of acres of backcountry you experience by *leaving* the road system. The road system in this first "park" has been in existence for over 100 years. Any visitor seeking solitude, a "wilderness" experience or "natural" soundscapes will not find these features along the road system. They haven't existed, in any season, upon these roads for over 100 years and they never will. While the opportunity to enjoy these amenities is important, it needs to be kept in the proper perspective that the real opportunity to experience them lies in "park 2" and not along the roadways.

Page 134, first paragraph: This paragraph states there are 61 snowcoaches with a total of 671 seats available. Where are these coaches based and what destinations do they serve?

Page 146, Table 35: It is stated that the "change in output", in respect to West Yellowstone, is "about 45% of 5-county loss". However, in the 1/13/02 Cooperating Agency internal draft, these same figures for West Yellowstone were stated to be "67% of 5-county loss". What changed between the internal draft review in January and the Internet release of the DSEIS in February? Where is the data that substantiates this very substantial change in impacts?

Since Wyoming had commented in their draft review that NPS economic impacts were dramatically understated, given that impacts projected by the Wyoming Survey coupled with the fact that 67% of the 5-county loss from West Yellowstone would put total impacts over $110 million per year - as opposed to the $21 million per year projected by NPS, the motivation for this unsubstantiated revision is certainly suspect.

We also continue to take issue with the stated economic impact of implementing Alternatives 1a and 1b. The following comments also relate to erroneous information displayed in Table 35.

Pages 152-157, The Effects of Implementing Alternatives 1a and 1b on Socioeconomics: We continue to take issue with the stated economic impact of implementing these two alternatives. As stated previously, the 2001 Wyoming Snowmobile Survey found the economic impact of a snowmobile ban implementation to be a $36.7 million per year loss, along with 938 jobs, just in Wyoming. And, as explained in Section 3 of these comments, we believe annual equipment expenses are appropriate to include when discussing total economic impacts.

The document states the economic loss of implementing Alternatives 1a and 1b to be $18.4 to $21 million per year, with 471 to 499 lost jobs, for the entire 5-county GYA. We believe these impacts are dramatically understated by NPS.

Given that an estimated 67% (as stated in the internal draft) of the estimated 5-county impacts would be just in West Yellowstone, then total economic loss would really be in excess of $110 million per year and the total lost jobs would be in excess of 2,800 for the 5-county area. If you change this percentage for West Yellowstone to the 45% used in the DSEIS, and assume 5-10% occurs in the rest of Montana, 5-10% occurs in Idaho, and the remaining 30-40% of the overall loss is in Wyoming, then the overall economic loss is between $90 and $105 million per year – a

far cry from the NPS stated $18 to $21 million per year. Additionally, total lost jobs would be in the range of 2,300 to 3,100 for the 5-county area.

Page 164, first paragraph: A statement is made that prohibiting late night oversnow travel from 9:00 P.M. to 8:00 A.M. in all three parks will "facilitate nightly grooming". While we support nighttime closures, our observation is that YNP typically sends their grooming equipment out around 4:00 P.M., and sometimes even earlier. To make best use of the grooming efforts, grooming start-time should be delayed until after the 9:00 P.M. closure. Otherwise you're wasting your grooming effort by allowing traffic on the freshly groomed trail between 4 and 9 P.M.

Page 176, Table 40: The traveling CO emission factor for a snowcoach is improperly stated as 67.52 g/m (at 35 mph). If operating at 35 mph, there is no doubt in our mind that a coach's engine would be working hard and operating in an "open-loop" mode. In fact, during sound testing at the YNP South Entrance on 2/6/02, all conversion vans had a difficult time reaching and sustaining a ground speed of 30 mph. The drivers had the pedal to the metal, the engines roaring, and the vans still struggled to reach the desired top speed. According to the SwRI Snowcoach Emissions study, it is more likely that CO emissions would be 99.2 g/m. This is significant since it means, overall, snowcoach CO emissions are understated by a factor of 46.9% in the DSEIS.

Because of the above stated error in the NPS assumptions regarding snowcoach emissions, ALL analysis is flawed and all results displayed in Chapter IV are inaccurate. All snowcoach emission calculations and comparisons must be revised for the FSEIS.

Page 177, paragraph following Table 42: It is mentioned there was a need to convert snowmobile traveling emission factors from g/hp-hr to g/mile, and the formula to do so was given. However, it is not disclosed what vehicle speed (or speeds) were used to make this conversion. This is important since the calculation involves a division by the vehicle speed, so a difference of 10 mph can have a substantive difference in the final emission level. A traveling speed of 35 mph should be used for the road segments between West Yellowstone and Old Faithful. A speed of 45 mph should be modeled for the balance of YNP. A table should also be added to the FSEIS to display the g/mile factors that are used.

Page 179, second paragraph: It states, "The average vehicle speed was 35 mph on the parks' roadways." It is unclear which vehicles are being modeled with this speed. Since it mentions Alternative 1b, there can be a presumption that it is being used for snowcoaches, which would be inaccurate. As has been mentioned in Section 3 of these comments, snowcoaches used during the February 6, 2002 sound testing at the YNP south entrance were unable to achieve a ground speed of 35 mph. On-board GPS units were used to measure actual speed (since the vehicle speedometers no longer function properly when the tracks are added to a van) of snowcoaches. Maximum speed of *all* coaches tested was 28 to 30 mph. A speed of 30 mph should the maximum used to model snowcoach emissions.

If snowmobiles were also being modeled with this speed, it would be inappropriate unless it was only for the road segments between West Yellowstone and Old Faithful. As mentioned above, 45 mph should be used for snowmobiles on all other roads.

Page 202, last sentence: It states, "...and the traveling emission factors presented in Tables 34 to 37." This appears to be an error, since we cannot find traveling emission factors in any of these tables. Where are they?

Page 204, last paragraph: The statement that the 1-hr and 8-hr CO standards at the West Entrance would be exceeded under several of the alternatives and various years of the phase-in schedule is ludicrous and does nothing but affirm that the NPS air quality model is flawed.

This "prediction" includes years in alternatives where 1) snowmobile numbers will be greatly reduced from historic peak days at the West gate, and 2) snowmobiles will be converted away from being 100% 2-stroke sleds entering through the West entrance. When you contrast this with the FACT that CO standards **HAVE NEVER BEEN EXCEEDED** at the West Entrance, this prediction cannot be accurate or truthful.

There also appears to be an error in this section, since it refers to "Alternatives 2 and 4". Perhaps it was not changed from the internal draft, and should really state "Alternatives 1b and 3"?

Page 207, Effects of Oversnow Motorized Use: It is stated, "Effects associated with oversnow motorized use include disturbance to wildlife from the sight, sound and smell of the machines..." Please refer us to the studies that document that wildlife is disturbed by the *smell* of machines. Since it is common for environmental groups to state *they* are disturbed by the sight, sound and smell of snowmobiles, perhaps NPS has them confused with wildlife? Or maybe it was a typo and the sentence was intended to say, "wildlife *groups* are disturbed"?

Page 209, top paragraph: It is stated, "Because snowmobiles are responsible for all oversnow-wildlife collisions to date, eliminating their use would decrease the potential for collisions to nearly zero." This is not an accurate conclusion. Under Alternative 1a, NPS and concession snowmobiles would still be used in YNP. Since these two groups account for about 10% of all existing Motor Vehicle Accidents, the potential for snowmobile collisions would be far from being eliminated.

Page 211, Table 76: The "Old Faithful to West Thumb" and "West Thumb to Flagg" road segments have been assigned "high risks" for Alternative 2, as per the YNP employee survey we have previously objected to. This " high risk" rating indicates "*daily* occurrences of conflicts between wildlife and oversnow vehicles." Again we ask, where is the wildlife on these two road segments? Both road segments are in deep snow country not conducive for wintering wildlife. The only wildlife normally seen is in the thermal areas *at* Old Faithful and West Thumb or along the river at the South Entrance, but not on the roadways. This "high" risk rating is unsubstantiated and unjustified. These road segments should be rated "low risk", irrespective of which alternative you are talking about.

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Pages 215-216: We restate our objection to the YNP Employee Survey and its ensuing use in the discussion on these two pages. It is flawed, biased and objectionable for our previously stated reasons.

Page 218: We restate our objection to the YNP Employee Survey and its ensuing use in the discussion on this page. It is flawed, biased and objectionable for our previously stated reasons.

Page 222, Alternative 3: It states, "For snowcoaches, only the 4-track conversion van vehicles were modeled in alternative 3, because they are the quietest available technology, with a sound level of 70 dBA at 50 ft., as compared with 75 dBA for the Bombardier."

This is an incorrect determination that has led to a flawed impact analysis. During the JHSI Supplemental Sound Testing, 4-track vans produced a sound level of 75.6 dBA (diesel) and 78.3 dBA (gas). The Bombardier type snowcoach produced a sound level of 78.4 dBA (high exhaust) and 73.0 dBA (low exhaust). Therefore, a vehicle last produced in 1962 (the Bombardier) was substantially quieter than NPS's "best available technology". The quietest snowcoach was, in fact, the 2-track van conversion with a sound level of 69.5 dBA. Comparatively, new generation 4-stroke snowmobiles produced sound levels of 65.6 to 71.2 dBA.

Because of the above stated error in the NPS assumptions regarding snowcoach sound levels, ALL analysis is flawed and all results displayed in Chapter IV are inaccurate. All snowcoach sound calculations and comparisons must be revised for the FSEIS.

Page 226, Table 78: As per our previous comments, sound level assumptions used in this table are not accurate which, in turn, has caused inaccurate sound level modeling.

Page 228, Table 80: As per our previous comments, sound level assumptions used to create this table are not accurate which, in turn, has caused inaccurate results.

Why has a "group of 12 snowmobiles" been used? Particular to Alternative 3, the proposed "must be accompanied by a guide" requirement would limit group size to "11 snowmobiles" (1 guide plus a maximum of 10 clients), so it would seem this model would over-predict the actual use scenario.

Pages 248-251, Conclusions: Again, these conclusions are flawed because of the faulty assumptions and data previously mentioned.

The statement, "...only Bombardiers than can meet a 70dBA sound level standard would be allowed" in respect to Alternative 1a and 1b really means: *No* Bombardiers will be allowed in the parks since they all are above 70dBA.

This is extremely significant since 26 of the existing 61 snowcoaches (42.6%) [DSEIS page 134] would not be allowed in the parks. Given that these two alternatives would ban snowmobiles and force everyone to rely upon snowcoach access, it is a grave concern that nearly half of the

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existing snowcoach fleet will also be banned from the parks. Where will the replacement fleet come from to ensure enough coach seats are available to provide historic levels of public access?

Furthermore, if you use the correct snowcoach sound levels from the February 6, 2002, Supplemental Sound Testing rather than the flawed assumptions used to calculate DSEIS sound impacts, only the 2-track conversion van would meet the 70 dBA sound level standard. Since only 16 of the 61 current coaches are the 2-tracks models [DSEIS page 134], **nearly three-quarters (73.7%) of the existing snowcoach fleet, including 100% of the NPS Mattrack fleet, would need to be banned from the parks because they do not meet the standard.**

Page 250, Table 94: Table 94 refers to Alternatives 1, 2,3 and 4. Is this an error carried over from the internal draft?

Pages 251-252, The Effects on Visitor Access and Circulation: It is stated, "Each alternative provides, at a minimum, for current levels of visitation." We have stated previously and will again restate, this is not necessarily true.

The snowcoach visitation allowed by Alternatives 1a and 1b are only "projected", if the snowcoach access model works. This theory has not been properly researched and certainly is not tested. Additionally as we just commented, these two alternatives would ban the use of 50% to 75% of the existing snowcoaches because they would not meet the sound level standards. Where are the replacement coaches going to come from to provide the "current level of visitation"? Additionally, what will they be since the NPS anointed "current best available technology", the Mattrack, has been proven to not be even "good" technology?

Wyoming is aware of the efforts by NPS and others to build a "new Big Red Bus" and we have discussed the project with John Leer who is one of the project coordinators. From those conversations, it is clear that in the short term, 1 to 6-8 years, there is absolutely no possibility that a tracked-version will be available as a "new generation snowcoach", for financial and logistical reasons. In the long term, Wyoming questions the feasibility of the project, primarily because the project faces the same problems and hurdles encountered with the Mattrack conversions: the size and weight of any new generation snowcoach will require a very substantial track system to support it and to provide proper flotation in deep snow conditions. This, in turn, will require a substantial power train to propel the large track system along with the weight of the vehicle, the fatal flaw of existing conversion vans. We understand there is intended to be a "hydraulic assist" component on this new concept vehicle, but that's what it remains, a concept vehicle with some substantial and costly hurdles to clear. And then, *if* it is ever built, the cost will be extremely high which raises questions whether private enterprise will be able to afford them and whether the public will be able to afford the cost to rent a seat.

This section also incorrectly states that, "Alternative 3 provides for access in most park areas, at current use levels, by snowmobile." First, Alternative 3 does not provide for overall current use levels by snowmobile. The terminology of "access to 'most' park areas" does not meet the standard. And second, because the snowcoach model is unproven and Alternative 3 relies 100% upon the flawed Mattrack conversion van, it is suspect whether overall use levels will be able to be sustained.

NPS has replied to our previous comments that, "Snowcoaches have been an enduring feature of winter use in YNP." The only thing enduring about them is that no one wants to ride the current version, which is substantiated by the fact only 9% of the winter visitor historically chooses to ride in one. That has been the case for over 30 years, and in a free market society that is a very telling statistic. If they were anything but uncomfortable, restraining, stinky, rough riding and undependable, then, maybe, they could be considered a good and "enduring" transportation model. But they are not. Can a "new generation coach" be developed which would be embraced by visitors to the degree visitation levels could be sustained? *That is* the untested, $100 million question.

Page 258, Clean Air: Again, the statement is made that, "NPS would require that all snowcoaches meet the highest environmental standards possible for commercially produced mass transit oversnow vehicles. Currently, this vehicle is the mat track conversion van." As per our previous comments, we believe it has been greatly disproven that the Mattrack meets the highest environmental standards.

Another fallacy of this statement is that, there presently are NO "commercially produced mass transit oversnow vehicles". The Bombardier has not been commercially produced since 1962. Tucker Sno-Cat has made a proto-type, put it has not been commercially produced in any number. All other existing vehicles are "after-market" conversions or some other type of jerry-rigged contraption.

Page 260, The Availability of Access to Winter Activities: The loss of ice fishing opportunities via snowmobiles and snow planes on Jackson Lake is a serious concern for Wyoming. Please see attached comments in Section 5 from the Wyoming Game and Fish Department.

The elimination of wheeled vehicle access to Flagg Ranch after 2008 is also of serious concern. While it is stated on page 257 that this action will "only cause an additional one hour of travel time, each way, via snowcoach", this additional one hour is monumental. The additional 16 miles, one-way, coupled with the existing distance of 42 miles from Flagg Ranch to Old Faithful, results in a one-way trip of 58 miles. A rule of thumb among snowcoach operators is that anything over 90 miles starts to exceed the comfort level of riding in a coach all day long. The result is that day-access from the south is essentially eliminated by changing this trip from 84 to 116 miles round trip.

Additionally, the recent developments at Flagg Ranch were capitalized with the understanding there would be year-round wheeled vehicle access to the resort. The existing concessionaire has publicly stated they will be forced to close in the winter season if they lose their wheeled vehicle access, which is a grave concern for Wyoming and the public.

Page 264, first paragraph: It should be clarified that the late morning opening would, generally, result in no snowmobiles reaching the Old Faithful area from any entrance until about 10:00 AM. Consequently, the only snowmobiles operating in this area prior to this time would snowmobile guests (if any) who had overnighted at Snow Lodge.

Page 264, Quiet and Solitude and Page 265, Clean Air: It is stated that, "This alternative (2) allows for a substantial increase in snowmobile use from the North and East entrances", and "it allows for a substantial increase..." We disagree that allowing an increase from an average of "about 60" snowmobile entries per day at the North entrance (this number is likely higher since there is no actual "gate" count) to "100 per day" qualifies as a "substantial increase". Rather, we believe it would represent a minor increase. Likewise, allowing an increase from an average of "about 65" per day at the East Entrance to "200 per day" qualifies as "substantial". We believe it would instead be a moderate to major increase.

Page 265, Clean Air: The statement, "This alternative would result in a moderate to major decrease in opportunities to experience clean air near the West Entrance and Old Faithful when compared to alternatives 1a and 1b." is flawed. Snowcoach emissions are understated for 1a and 1b, so this is not correct. Additionally, proper credit has not been given to cleaner-quieter snowmobile technology.

Page 268, Quality of the groomed surface: The proposed adaptive management standard that "groomed surfaces must remain no worse than fair 20% for each daily period of operation (approximately 2.6 hours per day)." There is a concern that such a standard could be easily manipulated. For instance, by delaying a scheduled grooming by the 2.6 hours, park management could, purposely or inadvertently, create a situation whereby the groomed surface could be viewed as "worse than fair" for over the 20% threshold period. The consequences could be quite severe given that a reduction in snowmobile numbers allowed to enter the park could result from this management action versus visitor use.

Page 274, second paragraph – discussion on impairment: This paragraph appears to have been written to imply that even alternatives that utilize clean and quiet technology could not appropriately mitigate impacts to park resources. Wyoming questions the intent of this paragraph. No apparent purpose is served other than to attempt to prejudice the outcome of the ultimate decision, by implying that impairment must necessarily be found by virtue of the existing ROD.

As we have stated many times, it is the very impairment finding in the original ROD that led the ISMA and the State of Wyoming to institute their litigation. The purpose of the supplemental environmental impact statement was to provide a new look, incorporate new technology and other information and prepare an assessment taking such information into full consideration. Thus, the impairment finding of the existing ROD has little bearing on the decision to be made based upon the SEIS currently in progress, and any new ROD will necessarily be based on the full record. As a result, Wyoming questions the need, intent, and purpose of this paragraph and recommends that it be removed from the document.

Page 276, National Forests – last sentence: It states, "The issue (displacement of snowmobiles from the parks to the forests) is nearly moot since the national forests indicate they are already at a threshold without any park management changes." The issue is *not* moot.

It is clear the forests believe they are at or near capacity. Yet, in all alternatives, whether banning snowmobiles in 1a and 1b or decreasing snowmobile entries with interim use caps in 2 and 3, NPS has made an assumption that a varying degree of snowmobile use will and can transfer to other snowmobile trails within the region.

In respect to potential socioeconomic impacts, NPS has diminished potential impact projection by repeatedly stating that " a portion of the activity will not be lost to the area, region or community; rather, it will transfer to adjacent lands." This is simply not true because, as stated by the national forests, there is *not* additional capacity available for the displaced snowmobile use. Particular to commercial snowmobile outfitters, use days have been capped on the national forests for a number of years. There is simply no place for this snowmobile use to transfer to.

Pages 276 and 277, Displacement of Snowmobile Recreation Use to Adjacent Lands: The DSEIS fails to adequately assess the potential effects of the various alternatives on adjacent lands. NPS has dismissed this need and stated that, "such information is speculative." While it may be, NPS still has an affirmative responsibility to analyze these effects.

The USFS requested as a cooperating agency that NPS analyze a worst-case scenario regarding displacement that might occur in each alternative. NPS refused stating what displaced visitors might do is "highly speculative." This is too important of an issue, both for the USFS and the public, for it to be summarily dismissed by NPS. It is critical that a proper analysis be completed for the FSEIS.

Page 279, last paragraph: It is mistakenly stated that the average daily entrance of snowmobiles through the west gate is "about 530". Table 3 on page 43 and Table 4 on page 44 indicate historic average daily snowmobile use at the west gate is 556 (proposed 278 interim cap is 50% of historic use). Other actual gate counts Wyoming has viewed over the past two years indicate the correct number would in fact be about 570.

Page 282, last sentence: It is stated that, "Increased snowcoach use would offset some of the gain, but the amount of pollution generated per visitor would be significantly lower." This statement is false since all snowcoach emission impacts presented in the DSEIS are flawed.

As previously stated in Section 3 of these comments, snowcoaches currently average 6 riders per coach while snowmobiles currently average 1.2 riders per sled. A total of 5 new generation snowmobiles would provide the same visitor transportation as one coach, but would have total CO emissions of 86.45 g/m compared to the one snowcoach with emissions of 99.2 g/m.

Section 5: Specific Comments submitted by the Wyoming Game and Fish Department

May 2, 2002

WER 6136
National Park Service
Winter Use Draft Supplemental Environmental Impact Statement
Yellowstone and Grand Teton National Parks and the John D. Rockefeller Jr., Memorial Parkway

John Keck
Director
Parks and Cultural Resources
Barrett Building
2301 Central Avenue
Cheyenne, WY 82002

Dear Mr. Keck:

Following are the Wyoming Game and Fish Department's comments on the Winter Use Plan Draft Supplemental Environmental Impact Statement (DSEIS), dated March 29, 2002. These comments, dealing with wildlife and recreation issues, are intended for consideration only into the Grand Teton and Parkway portions of the plan (not the Yellowstone portion), where the state has management responsibility for fish and wildlife.

The desired condition for Grand Teton and the Parkway, based on a large body of laws, regulations, executive orders, and policies, includes visitors having a range of appropriate winter recreation opportunities available to them, with recreational experiences to be offered where they will not irreparably impact wildlife (page v).

The existing conditions in the parks, according to the November 2000 FEIS, includes snowmobiles as one of a limited number of ways of accessing Grand Teton and the Parkway in winter. While noting that snowmobiles provide a means of achieving the desired condition of helping make the parks available to visitors, page v indicates there has been harassment and unintended impacts on wildlife from the use of snowmobiles on groomed trails. The following comments deal with providing the desired condition of recreation opportunities while addressing any perceived significant or irreparable impacts to ungulate wildlife.

As stated on page x, all alternatives would maintain the same amount of groomed motorized routes in important ungulate habitat within the parks. The effects associated with use of those groomed routes are believed to be related to the differences in allowable numbers and patterns of oversnow vehicle use on those routes, which vary by alternative. The wildlife issue is one of addressing whether an increased number of snow vehicles using the same route would

result in a significant enough impact (i.e., irreparable harm) to ungulates to warrant a restriction on those numbers. It must be determined whether this restriction should cause a change in the level of use, access, and experience for park visitors (page vii).

Table 11 lists the adaptive management Indicators, the Standards for triggering an adaptive management action, and the resultant Management Actions for wildlife. The Standards for Alternatives 2 and 3 are adequately defined in the document. The Standards for Alternatives 1a and 1b are not defined, and leave the terms "not acceptable" and "adverse" as discretionary items. The definitions of these terms should be disclosed so reviewers can clearly determine the full range of alternative actions being described. The term "disturbance" is also used in Alternatives 1a and 1b, and is defined on page 116. However, the definition "to interfere with, or destroy the tranquility or composure of wildlife" includes, as stated, "all of the effects described as associated with oversnow motorized use". This is a totally exclusionary definition, and would prohibit all human use including summer visitors, and even Park Service personnel from being present in the parks. A more realistic definition of "disturbance" is clearly needed, specifically one that is measurable and meaningful for describing impacts to animals, instead of the present human judgment call on what constitutes normal tranquility or composure of wild animals.

In Table 11, it is also noticeable that the Management Actions for Alternatives 1a and 1b are generally more severe than Alternatives 2 and 3. We note particularly the Management Actions for groomed routes, which includes the elimination of grooming and closing of routes as the first response to any "disturbance" (undefined) of bison. We strongly recommend the eventual preferred alternative for the SEIS be one that leaves more flexibility in the Management Actions for dealing with any potential future problems. The DSEIS does call for continuing scientific studies and monitoring in support of the adaptive management process. This continual feedback system will provide the best available information for implementing more moderate Management Actions that support both human use and wildlife benefits in a win-win manner, instead of immediately using the most drastic Management Action available.

ENVIRONMENTAL CONSEQUENCES

Key items in the DSEIS are the categories and definitions of impacts to wildlife (Table 75). The Environmental Consequences of each alternative, and the alternatives' perceived ability to avoid irreparable harm to wildlife, will be determined by the application of these definitions.

In general, the impact categories addressed in Table 75 start with those affecting individual animals and proceed, as impacts get worse, to those affecting entire populations of animals. It is important to remember that, for Alternatives 2 and 3, Table 11 requires an adaptive management response for actions that result in greater than the "Adverse Negligible Effects" category, as defined in Table 75. Using the Table 75 categories and definitions, this next greater impact category is "Adverse Minor", which is defined as "an action that may affect a population or individuals of a species, but the effect would be small; if it is measurable, it will be a small and localized consequence to the population. Risks are considered low to medium".

It is certainly not expected that all Adverse Minor impacts would affect an entire population, nor that these minor impacts would ever result in irreparable harm to a population. This is simply the first category of impacts that may affect a population in a measurable way, and thus result in a justifiable reaction before they can do irreparable harm. Because this level of impact would result in an adaptive management response, that response would be expected to prevent wildlife experiencing a worse category of impact, essentially preventing the impacts from ever getting to the level of doing irreparable harm. As such, the resultant Management Actions should be sufficient to adequately protect park wildlife resources.

The Environmental Consequences in the DSEIS indicate that Alternatives 1a and 1b would have impacts only as high as "Adverse Negligible", essentially having no measurable consequence to populations. However, Alternatives 2 and 3, according the DSEIS, are listed as having "Adverse, Moderate" affects. This category is defined as one that may have a sufficient consequence to the population. We dispute the "Adverse, Moderate" category for these alternatives, as it includes the assumption that "harassment and displacement from preferred habitats" due to snowmobile use has happened, which has not been not been clearly demonstrated (pages 217 and 219). It also could not happen in the future, in a properly functioning plan, without triggering a management response (Table 11) that would stop those impacts.

We also disagree that the impacts should be considered significantly greater than Alternatives 1a and 1b. The DSEIS actually states that the importance of these effects and the ramifications of them are inconclusive for Alternatives 2 and 3 (pages 217 and 219, respectively). It is stated that while disturbance to wildlife, regardless of the lack of population-level effects, is unacceptable, winter recreation within the park has not clearly demonstrated any long-term adverse consequences to either small groups of animals or to populations. The science summary on pages 115-123 details the information known on impacts and the lack of conclusive science concerning significant negative effects on populations. The additional measures of lowering speed limits, decreasing night-time sledding, and increasing education and enforcement efforts should help decrease impacts to individual animals.

Because it remains speculative whether the adverse impacts of different levels of use of groomed routes cause adverse impacts on ungulate distributions and population dynamics, as stated in the DSEIS, we question the difference in impact categories between any of the alternatives until such impacts can be conclusively demonstrated. Therefore, we recommend that Alternatives 2 and 3 be considered to have the same impact category ("Adverse Negligible") as Alternatives 1a and 1b.

Further, mitigation measures are included with Alternatives 2 and 3 to deal with any snowmobile impacts and prevent them from becoming a potentially bigger impact. Continued research and monitoring should, and will, be done in the future to identify any potential significant detrimental effects to wildlife, and this is indeed a plan element for whatever alternative is eventually implemented (page 17). For now, since best available science does not point out differences in levels of groomed route use at the present time, it seems reasonable to accommodate the higher level of snowmobile use in Alternative 2 and prevent an unnecessary decrease in human enjoyment of the parks.

JACKSON LAKE

Prior to the November 2000 FEIS, snowmobile and snowplane access to the frozen surface of Jackson Lake was permitted. This accommodated a large number of recreation-days to take advantage of the winter ice-fishing opportunities on the lake (6170 user-days, according to the last Wyoming Game and Fish Department creel census during the winter of 1995-96). Most of the fishing benefit provided by the lake is realized during the winter. The vast majority of winter fishing access is by motorized vehicles, including snowmobiles and ski planes.

Jackson Lake is a Bureau of Reclamation project from the early 1900's that is managed jointly by the Bureau, the Park Service, and the Wyoming Game and Fish Department. This 3-way management is necessary to coordinate the water, land, and fish use of the lake, and has been successfully done for nearly a century. To support the recreation use, our Department does spawning assessments, fish stocking, and enforcement activities on an annual basis, and a creel census about every 5 years.

Alternatives 1a, 1b, and 3 would exclude this recreational opportunity. Jackson Lake is a significant recreational fishery, and the abrupt discontinuation of motorized winter access would mean a significant decrease in visitor use, access, and experience for the park.

The reason given for the Jackson Lake snowmobile closure (as well as for the rest of Grand Teton National Park) was impairment of the natural soundscape and opportunities for enjoyment of the park by visitors (FEIS, page 18). We suggest that the deletion of access to the lake would itself be an impairment of enjoyment for a significant number of people. The soundscape issues are addressed elsewhere in Alternative 2 for the entire park, and mitigation of those issues and a continuation of snowmobile use should also apply to Jackson Lake. In addition, the suggested mitigation in Alternative 2 of only allowing snowmobiles carrying fishermen onto the lake should further decrease whatever reduced level of sound is produced from the quieter snowmobiles.

Alternative 3, which allows a level of snowmobile use in the parks, does not allow use of snowmobiles on Jackson Lake. We recommend that, since Alternative 3 allows a certain level of snowmobile use in the parks, use should also include the surface of Jackson Lake to allow the visitor use, access, and experience the lake provides.

We further recommend that the eventual preferred alternative for this SEIS be one that includes motorized winter access to the lake. Given the successful and beneficial cooperative method of managing this significant resource, we very much encourage a continuation of that cooperation and the public benefits resulting from it.

We suggest that snowplanes continue to access the lake during winter for the purpose of ice-fishing. This could be done on a scheduled basis, if sound is still considered an issue for this limited use.

CONCLUSIONS

It appears that no significant impacts or irreparable harm to wildlife populations, or even to a significant number of individual animals, can be adequately demonstrated due to continued snowmobile use in Grand Teton National Park and the Parkway, as described in Alternative 2 and 3. Further, there seems no reason to disallow the higher level of use in Alternative 2. Any measurable impacts demonstrated in the future would be adequately mitigated, using the adaptive management process described.

Disallowing snowmobile access to the parks, including specifically Jackson Lake, would decrease the level of visitor use, access, and experience to the parks and the lake, with no apparent benefit for park wildlife.

Thank you for the opportunity to comment.

Sincerely,

JOHN BAUGHMAN
DIRECTOR

JB:TC:as

Section 6: Specific Comments submitted by the Wyoming Department of Environmental Quality

May 22, 2002

Through: John T. Keck – Cooperating Agency Liaison
Director WY Dept. of State Parks & Cultural Resources

Mr. Steve Iobst
Grand Teton National Park
PO Box 352
Moose, WY 83102

RE: Winter Use Plans, Draft Supplemental Environmental Impact Statement

Dear Mr. Iobst:

The Air Quality Division of the Wyoming Department of Environmental Quality has reviewed the Winter Use Plans, Draft Supplemental Environmental Impact Statement for the Yellowstone and Grand Teton National Parks and John D. Rockefeller, Jr., Memorial Parkway. Attached you will find the Air Quality Division's specific comments.

The Air Quality Division is disconcerted that the DSEIS states that the worst case modeled air quality impacts "threaten" or "exceed" ambient air quality standards. The modeled air quality impacts presented in the DSEIS are based on a worst case analysis and should not be construed to predict violations of ambient air quality standards with certainty.

These comments are submitted by the Air Quality Division to support the State of Wyoming's role as a Cooperating Agency. If you should have any questions regarding the comments, please feel free to contact this office.

Sincerely,

Dan Olson
Air Quality Division Administrator

Cc: Dennis Hemmer, Director
Darla Potter, Visibility, Smoke Management & EIS Coordinator

Page 6, Clean Air Act (CAA), 2nd to Last Sentence
This sentence is missing a key word that must be included to set the appropriate context for the sentence in terms of the Clean Air Act. Please insert the word "visibility" in two places, between "future" and "impairment" and "existing" and "impairment".

Page 6, Clean Air Act (CAA), Last Sentence
The Jedediah Smith Wilderness Area in the Targhee National Forest is a Class II **not** a Class I wilderness area.

Page 17, Regulation/Enforcement/Administration, 2nd Major Bullet
This bullet is misleading as EPA is in the rulemaking process and has proposed emission standards for snowmobiles. Please revise the bullet to read as follows "If the EPA adopts more stringent standards or measurement methods for vehicle emissions and sound applicable to winter use in the parks, they will be implemented in accordance with EPA regulations. Footnote – See discussion of the proposed EPA rule in Chapter III under Air Quality."

Table 11 (unnumbered pgs 62-70) for Zones 1-9 Adaptive Management Indicators, Standards, and Methods by Management Zone
The "Indicators," "Standards," "Preliminary Method," and "Monitoring Intensity" for the "Resource Value" of "Air Quality" in Table 11 (pgs 62-70) should be consistent with those presented for monitoring and adaptive management in Appendix E Tables 1 - 18 (Appendix E pgs 7-25). It is apparent that the Air Quality Division's comments provided during the internal review process were incorporated in Appendix E but were not carried forward into the body of the DSEIS for uniformity.

Table 11 Indicator – Odor, Standard & Preliminary Method

There is no federal odor standard and although there is a state odor standard in Wyoming it is written to apply to industrial sources (e.g., refineries, confined animal facilities, etc.) and not mobile sources. Compliance with the Wyoming odor standard (Wyoming Air Quality Standards and Regulations Chapter 2, Ambient Standards, Section 11, Ambient standards for odors) is determined with a scentometer at seven dilutions with odor free air.

While odor may be considered an aesthetic value, acceptable odor is a subjective determination, until it reaches health-related levels. The AQD is concerned that the Management actions related to odor will be based on subjective opinions and not objective data gathering efforts. The Air Quality Division urges the NPS to delete the Odor "Indicator" from Table 11 for Zones 1-9.

Table 11 Indicator – Visibility, Standard

There is no "state or federal air quality standard" for visibility. The closest tie to an applicable regulation would be the Regional Haze Rule that specifies no degradation of the 20% best visibility days and improvement of the 20% worst visibility days to natural by 2064. Therefore, the AQD recommends that for the indicator of Visibility the "Standard" be made consistent with those presented for monitoring and adaptive management in Appendix E Tables 1 – 18 (Appendix E pgs 7-25). All other statements under "Standard" for visibility should be deleted from all Management Zones, as they have no tie to an applicable air quality standard or regulation and are subjective in nature.

Table 11 Indicator – Visibility, Preliminary Method

The "Preliminary Method" to determine adherence to the "Standard" would be the acceptable monitoring method specified by the Regional Haze Rule, which is an IMPROVE aerosol monitor and associated monitoring protocol. Therefore, the "Preliminary Method" should be made consistent with those presented for monitoring and adaptive management in Appendix E Tables 1 – 18 (Appendix E pgs 7-25).

Table 11 Indicator – Visibility, Monitoring Intensity

By definition included in the footnotes for "Monitoring Intensity", any and all monitoring using the "Preliminary Method" (i.e., IMPROVE aerosol monitor) to determine adherence to the "Standard" (i.e., "No degradation from the current condition of the 20% best visibility days") would be "High" in "Monitoring Intensity". Therefore, the "Monitoring Intensity" should be made consistent with those presented for monitoring and adaptive management in Appendix E Tables 1 – 18 (Appendix E pgs 7-25).

Table 11 (unnumbered pgs 67-69) for Zones 6-8 Adaptive Management Indicators, Standards, and Methods by Management Zone, Resource Value – Air Quality and Public Health, Management Action

The "Management Actions" specified for the "Resource Value" of "Air Quality (Public Health)" are not valid for the given "Management Zone" in these tables. By definition "Appropriate Activities" for a "Groomed Nonmotorized Trail", "Ungroomed Nonmotorized Trail or Area", or "Backcountry Nonmotorized Area" are identified as "Nonmotorized activities only…". Given the limited nature of "Appropriate Activities" for the "Management Zone" in these tables, the "Management Actions" such as "Implement or require new technologies," "Reduce emissions and implement carrying capacity," and "Adjust emissions and carrying capacity" are not appropriate. The NPS should review the "Management Actions" associated with the "Resource Value" of "Air Quality (Public Health)" in these tables to make sure they are appropriate. See Appendix E Tables 15-17 for Alt 2 for examples of appropriate "Management Actions".

Page 99, Air Quality and Air Quality Related Values

As the DSEIS was to include "other relevant updated or new information available subsequent to the previous decision" it is disappointing that Chapter III did not contain updated air quality monitoring information available for 2000. To provide a "reality check" to the modeled air quality impacts it would be enlightening to include the updated air quality monitoring information at the West Entrance for 2000 (2001 if available), as well as the corresponding winter use information (i.e., number of snowmobiles, snowcoaches, etc.).

Page 99, Air Quality and Air Quality Related Values

The State of Wyoming initiated reference method monitoring for carbon monoxide (CO) at Flagg Ranch in November of 2001 to collect data that is more representative of conditions within the interior of the three parks than that collected at the West Entrance. As of the writing of these comments, the available monitored data at Flagg Ranch consists of that collected from November 3 through December 31, 2001. The highest hourly average concentration was 0.9 ppm recorded on December 28 at 8 am, which is approximately 2% of the 1-hour Wyoming and National Ambient Air Quality Standard for CO of 35 ppm.

The State of Wyoming will provide the NPS with reference method monitored CO data from the Flagg Ranch site for the 2001/2002-winter use period, as soon as it becomes available, for inclusion in the air quality modeling and analysis for the FSEIS.

Page 170, The Effects of Implementing the Alternatives on Air Quality and Air Quality Related Values, Last Paragraph

Regulatory PSD Increment Consumption Analysis - This paragraph states that a modeling of PSD increment analysis recommended by EPA is to be completed for the FSEIS. The Air Quality Division would like to take this opportunity to remind the National Park Service that performing a regulatory PSD increment consumption analysis falls to those with primacy under the Clean Air Act, which in this case has been granted to the states of Idaho, Montana, and Wyoming. In comments previously submitted to EPA from Governor Jim Geringer, the State of Wyoming has stated that it finds no basis in the information presented in the Winter Use EIS to call for a regulatory PSD increment consumption analysis. The Air Quality Division objects to the National Park Service preparing a regulatory PSD increment consumption analysis under NEPA.

Page 170, The Effects of Implementing the Alternatives on Air Quality and Air Quality Related Values, Last Paragraph

Visibility Impact Analysis - This paragraph states that a modeling of visibility impacts recommended by EPA is to be completed for the FSEIS. The Air Quality Division fails to see the point in modeling for visibility impacts when visibility is already monitored within Yellowstone National Park by an IMPROVE aerosol monitor. The Air Quality Division urges the National Park Service to rely on the monitored visibility data collected within Yellowstone National Park instead of predicting fictitious visibility impacts with a model.

Pages 170-205, The Effects of Implementing the Alternatives on Air Quality and Air Quality Related Values
The State of Wyoming was not provided with a copy of the National Park Service consultants' draft air quality analysis report referenced in the DSEIS as EA 2001. As a result, it is difficult for the State of Wyoming to fulfill its role as a cooperating agency at this point in the EIS process without additional time for review of additional information to supplement the conclusions drawn in the DSEIS.

Pages 170-205, The Effects of Implementing the Alternatives on Air Quality and Air Quality Related Values
The modeled air quality impacts presented in the DSEIS are based on a, worst case analysis using several broad assumptions, including meteorological and site characteristics, to estimate CO and PM_{10} concentrations which cannot predict violations of ambient air quality standards with certainty. The Air Quality Division once again requests that the confidence level associated with the modeling results be disclosed in the FSEIS. In addition, the probability of the "worst-case" scenario should be disclosed to illustrate the number of hours each year that the maximum emissions would simultaneously coincide with the worst dispersion conditions. Further, as a result of the uncertainty inherent with modeling of a "worst-case" scenario, when modeled results are compared to ambient air quality standards the FSEIS should disclose that the model results are only a rough estimate as to whether compliance with the standards will occur.

Appendix E
The monitoring and adaptive management issues must be viewed in a context of scientifically defensible solutions and be approached under the proper legal authority. The WDEQ-AQD urges the NPS to rely upon objective data gathering focused on accuracy and defensibility so that the monitoring and adaptive management processes produces scientifically defensible solutions to the environmental issues at hand.

Appendix E, All Tables, Resource Value – Air Quality and Public Health
The "Preliminary Standards" for Air Quality and Public Health should be linked as closely as possible to applicable State and Federal air quality standards and regulations. In addition, the monitoring "Method" and "Monitoring Intensity" must be conducted according to acceptable monitoring protocols for each "Preliminary Standard." Variations from acceptable monitoring protocols will negate the ability of the NPS to compare the monitored data in a scientifically and defensible manner to the relevant "Preliminary Standard."

Tables 1-6 for Alt 1a, 1b, & 3 (pgs 7-13) and Tables 10-15 for Alt 2 (pgs 17-22)
Indicator – Park workers and visitors exposure to CO, particulate matter, aldehydes,
Preliminary Standard – State and federal ambient air quality standards
Method

There is no state or federal ambient air quality standard for Volatile Organic Compounds (VOCs). Therefore, "VOCs" should be deleted from the associated "Method" cell in Tables 1 through 6 for Alt 1a, 1b, & 3 and Alt 2.

The appropriate "Method" to determine adherence to the "Preliminary Standard" (i.e., "State and federal ambient air quality standards") is "Reference method fixed site sampling of PM and carbon monoxide" in all associated "Method" cells. Therefore, the "Method" that states "Fixed site sampling of PM and carbon monoxide, and VOCs" is redundant and should be deleted.

Appendix E, Tables 6-8 for Alt 1a, 1b, & 3 (pgs 13-15) Resource Value – Air Quality and Public Health, Management Action
The "Management Actions" specified for the "Resource Value" of "Air Quality (Public Health)" are not valid for the given "Management Zone" in these tables. By definition, "Appropriate Activities" for a "Groomed Nonmotorized Trail", "Ungroomed Nonmotorized Trail or Area", or "Backcountry Nonmotorized Area" are identified as "Nonmotorized activities only…". Given the limited nature of "Appropriate Activities" for the "Management Zone" in these tables, the "Management Actions" of "Establish vehicle carrying capacity/Adjust vehicle numbers" is not appropriate. The NPS should review the "Management Action" associated with the "Resource Value" of "Air Quality (Public Health)" in these tables to make sure they are appropriate. See Tables 15-17 for Alt 2 for examples of appropriate "Management Actions".